

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CHILDREN, FAMILIES & LEARNING OVERVIEW & SCRUTINY COMMITTEE** held in Room 14, Priory House, Monks Walk, Shefford on Tuesday, 30 March 2010

PRESENT

Cllr J Street (Chairman)
Cllr Mrs D B Gurney (Vice-Chairman)

Councillors: P A Blaine
D Bowater
N B Costin
Dr R Egan
A Shadbolt

Parental Co-optees: H Copley
D Landman

Roman Catholic
Co-optee: F Image

Apologies for Absence: Cllrs I Dalgarno
P Hollick
K Janes

Church of
England
Co-optee J Reynolds

Parental
Co-optee B Sear

Substitutes: Cllrs Mrs A Barker

Members in Attendance: Cllrs M Gibson
Mrs A M Lewis
Mrs C Turner

Officers in Attendance: Mrs S Hobbs Democratic Services Officer
Mr J Partridge Overview & Scrutiny Officer
Ms K Peddie Head of Policy & Strategy –
Children's Services
Mr M Pratt Deputy Director Children's Services
and Assistant Director Specialist
Services

CFL/09/11 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Children, Families and Learning Overview and Scrutiny Committee held on 24 February 2010 be confirmed and signed by the Chairman as a correct record.

CFL/09/12 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

(c) **Any Political Whip in relation to items on the agenda:-**

None.

CFL/09/13 **Chairman's Announcements and Communications**

The Chairman advised Members that he had agreed to take an urgent item of business as set out in the Chairman's Briefing Note 'Review by Overview and Scrutiny of Adequacy of Response to Petition' in accordance with Section 100B (4) (b) of the Local Government Act 1972 in accordance with the Constitution this item should be included on the agenda for the next scheduled meeting of the relevant overview and scrutiny committee.

CFL/09/14 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

CFL/09/15 **Questions, Statements or Deputations**

There were no applications from members of the public to speak under the Public Participation Procedure allowed for under Part A4 of the Constitution.

CFL/09/16 **Call-In**

No matters were referred to the Committee for a decision in relation to call-in of a decision.

CFL/09/17 **Requested Items**

No items were referred to the Committee for consideration at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

CFL/09/18 **Urgent Business - Review by Overview and Scrutiny of Adequacy of Response to Petition**

The Chairman of the Overview and Scrutiny Committee had agreed to take this item as an additional item of business as a matter of urgency in accordance with Section 100B (4) (b) of the Local Government Act 1972 in accordance with the Constitution that this item should be included on the agenda for the next scheduled meeting of the relevant overview and scrutiny committee.

The Monitoring Officer had received a request from Ms Pires for the Children, Families and Learning Overview and Scrutiny Committee to review the adequacy of the response to the petition that was submitted to the Executive on 9 March 2010 entitled "keep the school transport to denominational schools in Central Bedfordshire".

The Chairman stated that the purpose of this item was to review the response to the petition and the process that had been followed during the Executive's consideration of the petition and not to review the decision made by the Executive regarding the Home to School Transport Policy. The Chairman provided background information regarding the process that was followed.

Members were advised that as set out in the Council's Constitution at Part A4 section 7, the Overview and Scrutiny Committee had four options having reviewed the adequacy of the response to the petition:-

1. to agree with the steps taken or proposed to be taken in response to the petition;
2. to call upon the Executive, relevant committee or the Council to reconsider the matter;
3. to make recommendations to the Executive, committee or the Council to pursue a particular course of action; or
4. to refer the matter for consideration by the full Council.

After receiving advice from the Monitoring Officer that the Council had followed the Constitution appropriately in response to the petition, that the petition had been dealt with adequately and every opportunity had been made to allow people to make their views known at the Overview and Scrutiny Committee and Executive meetings the Chairman moved that a recorded vote be taken on the following motion:-

"that the Children, Families and Learning Overview and Scrutiny Committee agrees that the steps taken in response to the petition submitted by the lead petitioner were adequate and that no further action be taken".

This motion was seconded.

In accordance with the Public Participation Procedure as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution, the Chairman then invited the two members of the public who had registered to speak on this item to address the Committee. Each speaker was permitted a maximum of three minutes. In particular they raised the following areas:-

- full financial details had not been provided to Members and the public;
- the consultation process was not carried out adequately;
- Freedom of Information requests had not been responded to;
- the Executive had not taken into account the Overview and Scrutiny Committee's recommendation and the amount of signatories that was obtained on the petition;
- it felt as if the decision had been prejudged; and
- this issue should be referred to full Council for consideration.

Members agreed that the process the Children, Families and Learning Overview and Scrutiny Committee had followed was correct. However, a couple of the Members were concerned that the Executive had not taken the petition into account whilst making the decision. An amendment to the original motion was moved and seconded:-

“that the Children, Families and Learning Overview and Scrutiny Committee agreed that the steps taken in response to the petition submitted by the petition organiser be referred for consideration by the full Council.”

A vote was taken and this motion was **lost**.

Members discussed the adequacy of the process followed by the Council during the process of the Executive making their decision and agreed that this issue had been fully considered, with Members hearing from public speakers at the Children, Families and Learning Overview and Scrutiny Committee on 2 February and 24 February 2010 and the Executive on 9 March 2010 and the acceptance of the petition at the Executive meeting.

Members then voted on the original motion moved by the Chairman.

Those in favour were Councillors Mrs Barker, Bowater, Costin, Mrs Gurney, Shadbolt and Street. Mr Landman and Ms Copley were also in favour of the motion.

Those against were Councillors Blaine and Dr Egan. Ms Image was also against the motion.

This motion was **carried**.

RESOLVED

that the Children, Families and Learning Overview and Scrutiny Committee agrees that the steps taken in response to the petition submitted by the petition organiser were adequate and that no further action be taken.

CFL/09/19

The Future of Special Schooling in the East of Central Bedfordshire

Members considered the report of the Deputy Director of Children's Services which set out further details on special schooling in the East of Central Bedfordshire that was requested by the Committee at their meeting on 1 December 2009. The report provided information on the financial implications and an outline implementation plan for the proposed merger of Hitchmead Foundation Special School and Sunnyside Special School following the Executive decision to support the proposed merger and the 6-week consultation period. Members were advised that it had not been appropriate to put together an implementation plan until after the Executive's decision as this would have prejudged the decision.

In accordance with the Public Participation Procedure as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution, the Chairman then invited the member of the public who had registered to speak on this item to address the Committee. Mr Court was permitted a maximum of three minutes. Mr Court stated that the first stage of the consultation process was unsound and the Executive should be advised of this. He also stated that there was no mention in the Executive's resolution to this Committee's recommendation that there was an urgent and pressing need for a new build facility to replace both the Schools and that investigation and identification of sufficient capital resources be carried out. It was suggested that the Section 106 funding for Biggleswade be utilised towards the provision of a new school. Members noted that a letter from Mr Court had been emailed to all Members of the Committee except for the co-optees on 29 March 2010.

The proposed merger would release £111,000 of revenue funding that would be distributed to Special Schools. It was also estimated that a sum of £70,000 would be required for other works such as improved toilet facilities at Sunnyside Special School and a new entrance at Hitchmead Foundation Special School. It was proposed that this would also be funded from the Council's 2010/11 Schools' Access Initiative.

Members were advised that the Council was not in a position to build a new school during the 2010/11 financial year. Members were advised that Section 106 funding had been agreed as part of the new development of houses to the east of Biggleswade, but this funding would be used towards a new lower school and the provision of 22 classrooms at the upper school in Biggleswade. Members discussed possible alternative means of raising funds for the provision of new special schools in Central Bedfordshire, but in the meantime the best possible solution was to ensure the Council achieved the best

outcomes for the pupils at these two schools. Members requested that clarification be provided on the use of Section 106 funding in relation to schools. A suggestion was made that in future when agreeing Section 106 Agreements a contribution be sought towards special schooling in Central Bedfordshire.

Members of the Committee (excluding the co-opted members) had also received a letter from the Chair of Governors at Hitchmead Foundation Special School expressing concern about the merger requesting a new consultation, a review of funding arrangements and a new special school. The Chairman agreed to circulate a copy of both the letter from Mr Court and the Chair of Governors to Officers and the Portfolio Holder for Children's Services. Members requested that the Chairman of the Committee be advised of any steps being taken to address the concerns outlined in the letters received by the Committee.

A Transitional Working Group with representatives from both schools had been put together to take forward the proposed merger. In April 2010 a review of the Instrument of Government would be carried out with a view to increasing the size of the Governing Body to enable additional members to be brought forward, who would be representatives from Hitchmead.

RESOLVED

- 1. that the Children, Families and Learning Overview and Scrutiny Committee receives and notes the requested information; and**
- 2. that the Chairman of the Children, Families and Learning Overview and Scrutiny Committee be advised of any steps being taken to address the concerns outlined in the letters from Mr Stephen Court and the Chair of Governors at Hitchmead Foundation Special School.**

RECOMMENDED that the Executive

consider innovative approaches to capital funding including Section 106 Agreements in relation to special schools provision in Central Bedfordshire.

THE MEETING ADJOURNED AT 11.45 A.M. AND RE-CONVENED AT 12 NOON.

CFL/09/20 Children and Young People's Plan

Members considered the report of the Deputy Chief Executive and Director of Children's Services that set out an overview of the progress made with the priorities within the Achieve Economic Well Being Plan. The Achieve Economic Well Being Delivery Group was made up of key professionals from many of the partners within the public sector. This Group was charged with ensuring that services were delivered according to the agreed priorities.

Councillor Dr Egan advised Members of her role as Chairman of NIP in relation to the neighbourhood plan for Houghton Regis. In particular this Committee were considering issues such as excluded children and their families and training, voluntary and community work.

Members discussed the three priorities of the Achieve Economic Well Being Plan and in particular:-

- debated the provisions for excluded children including the provision of an in-house service within upper schools to assist those children who might be excluded. The Retreat in Sandy Upper School to manage children's behavioural problems was an example of what could be done within schools;
- further details were sought on the Sandy Pinnacle. A Member requested that information be provided regarding activities underway in this area; and
- the layout of the report and how the information was presented to Members including where the data source came from and the date of when this was data had been collected to enable this data to be used as a benchmark in the future.

Members were advised that a new Studio School, that was part of Barnfield College in Luton was working towards enterprise training, this was due to open in September 2010. A suggestion was made that Central Bedfordshire monitors the Studio's progress as it might be an option to look at in the future.

Members would have an opportunity to review the Children and Young People's Plan as it was due to be reapproved in April 2011. Partners of the Children's Trust would also be involved in the review of the plan. Comments from Members of the Committee would be captured and would contribute to the review of the Plan.

RESOLVED

to note the progress made with the priorities in the Achieve Economic Well Being Plan.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.45 p.m.)