

## KENT COUNTY COUNCIL

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### CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Wednesday, 13 December 2006.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Mr A R Bassam, Mr A H T Bowles, Mr J R Bullock MBE, Mr C J Capon, Mr B R Cope, Mr M Cullinane (substitute for Dr D Wadman), Mr C Hart, Mr E E C Hotson, Mr P W A Lake, Mr C J Law, Mrs M Newell, Mrs E D Rowbotham (substitute for Mr R J E Parker), Mr J E Scholes and Mrs P A V Stockell.

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive and Mr S C Ballard, Head of Democratic Services.

#### UNRESTRICTED ITEMS

**39. Minutes**  
(Item A2)

RESOLVED that the Minutes of the meeting held on 25 October 2006 are correctly recorded and that they be signed by the Chairman.

**40. Informal Member Group on Public Health Unit Business Plan – 24 October 2006**  
(Item A3)

RESOLVED that:-

- (a) the recommendations of the Informal Member Group be adopted and:-
  - (i) while welcoming the action taken by the Public Health Unit to ensure that public health issues were recognised in KCC's strategic plans and policies, the suggestion be made to the Kent Department of Public Health (KDPH) that it should identify the structural factors that militate against public health (eg lack of open space in residential developments, etc) in order to feed upwards to influence Government;
  - (ii) the need to involve District Councils and other stakeholders in its work be emphasised to the KDPH, particularly in view of the importance of the functions of District Councils to public health;
  - (iii) the suggestion be made to the KDPH that it should work with KCC's Press Office, not only to directly publicise public health matters, but also to include public health messages within press releases about other subjects.
- (b) the remaining notes of the meeting be noted.

**41. Informal Member Group on Budgetary Issues – 30 November 2006**

*(Item A4)*

RESOLVED that the notes of the meeting of the Informal Member Group on Budgetary Issues held on 30 November 2006 be noted.

**42. Cabinet Scrutiny Committee – Standing Report to December 2006**

*(Item A5 – Report by Assistant to the Chief Executive)*

RESOLVED that the report on the actions taken as a result of the Committee's decisions at previous meetings, and on progress with Select Committee Topic Reviews, be noted.

**43. Local Government White Paper – Implications for Scrutiny**

*(Item A6 – Report by Corporate Policy Unit)*

*Mr M Ayre, Senior Policy Manager, Corporate Policy Unit, attended the meeting for this item.*

RESOLVED that the report be noted and a further report on the scrutiny implications of the newly-published Local Government and Public Involvement in Health Bill be submitted to the next meeting of the Committee.

**44. Encouraging the Public to Participate in the Scrutiny Process**

*(Item A7 – Report by Head of Democratic Services)*

RESOLVED that the draft note on public involvement in the scrutiny process, attached at Appendix 1 to the report, be approved for issue to interested members of the public and publication on the Committee's page on the KCC website.

**45. Reduction of Surplus Capacity in Primary Schools: St Joseph's (Voluntary Aided) Catholic Primary School: Proposed Closure – Outcome of Public Consultation (Decision 06/00816)**

*(Item D1)*

(1) Mr J D Simmonds, Cabinet Member for Education and School Improvement; Dr I Craig, Director of Operations, Children, Families and Education Directorate; and Mr M Doole, Area Education Officer, Dover and Thanet, attended the meeting to answer questions on this item.

(2) Mr G Prosser, MP for Dover and Deal; and Cllr L Knight, Dover District Councillor for Aylesham, attended the meeting to express their views and ask questions on this item.

(3) Questions covered the issues set out in the following paragraphs:-

Primary School Strategy

(4) In answer to a question from Mr Prosser, Dr Craig explained again that both the DfES and the Audit Commission had made it clear that it was up to individual LEAs to decide what target they should adopt for surplus school places. The target would vary according to the size and distribution of the population of each LEA but the Audit Commission had indicated that surplus places should be kept to the minimum necessary and that a figure of more than 10% would trigger "further attention". It was in this context that the County Council had adopted a target in its Primary Strategy of reducing surplus places to 5-7%.

Letter from Dover District Council and Other Consultation Issues

(5) In answer to questions from Mr Prosser, Dr Eddy and Cllr Knight, Mr Doole explained that the letter from Dover District Council dated 3 November was part of an ongoing correspondence about the proposals for reducing surplus capacity throughout the Dover District. The District Council's letter did not raise a formal objection to any of the closure or amalgamation proposals but asked for further information and reassurance. A full reply had been sent on 12 December.

(6) Mr Simmonds pointed out that all proposals for school closures and amalgamations had been subject to lengthy public consultation periods. The consultation period on the proposal for the closure of St Joseph's had ended on 29 June.

(7) In answer to a question from Mrs Newell about why the Cluster Board had been specifically consulted on the closure of St Joseph's but the wider Children's Consortium apparently had not, Dr Craig said that there had been a full public consultation so all interested parties had had an opportunity to comment, and explained that the Cluster Board's comments were reported separately because it was standard practice to do so. He pointed out that this practice would soon have to change because the Cluster Boards and Children's Consortia were to be combined into Local Children's Trusts.

Alternatives to Closure of St Joseph's

(8) In answer to questions from Mr Prosser and Mr Smyth about the possibility of a federation between St Joseph's and St Edmund's Catholic (Secondary) School, Dover, Dr Craig and Mr Doole explained that a federation solution had been adopted in the case of St Radigund's, Dover, because there was a strong community case for keeping the school open, despite its surplus places, but the main issue was low standards. A federation with Astor College for the Arts, Dover, was expected to address the standards issue at St Radigund's.

(9) There was not a similarly strong community case for retaining St Joseph's (because Aylesham Community Primary School was nearby and had sufficient capacity to accommodate all the children from the village), and there was no problem with low standards at the school. The suggested federation with St Edmund's would not help to address the key issue, which was surplus primary school capacity in Aylesham. Mr Cullinane said that experience elsewhere suggested that federations increased rolls at the primary schools concerned because of the educational benefits for their children which parents saw flowing from the federation.

(10) In answer to a question from Mr Cullinane, Mr Doole explained that the reasons for proposing the closure of St Joseph's rather than the closure of Aylesham School were that Aylesham School had plentiful, good accommodation on a large site, whereas St Joseph's was located on a very restricted site.

(11) In answer to a question from Dr Eddy, Mr Doole said that the possibility of reducing Aylesham School from 2 to 1 form of entry and retaining St Joseph's had been discounted at an early stage because, as long as the surplus accommodation at Aylesham School remained part of the school site, it would need to feature in the surplus capacity calculation, unless it could be re-designated (but DfES criteria allowed limited scope for this).

(12) In answer to a question from Mr Cullinane, Mr Doole said that amalgamation of St Joseph's and Aylesham Schools was not an option because of St Joseph's voluntary-aided status.

(13) Mr Simmonds said that he believed that the closure of St Joseph's and the concentration of educational resources at Aylesham School was the best option on educational, social, community, as well as economic grounds.

#### Planned Housing Growth in Aylesham

(14) In answer to questions from Mr Prosser, Cllr Knight, Mr Cullinane and Mr Smyth, Mr Doole said that there was no dispute that there would be future housing growth in Aylesham but this had been taken fully into account. The impact of housing growth (including the proportion of new affordable housing) on the number of primary school pupils inevitably relied on projections but the County Council had, over the years, developed methods for making projections which had proved to be quite accurate.

(15) The potential for immigrants from Eastern Europe (with a high proportion of Roman Catholics) to settle in Aylesham had not been specifically taken into account because it was unquantifiable. In any case, there was no reason to regard immigrants separately from other people settling in Aylesham, whether in new or existing housing.

#### Social Deprivation in Aylesham

(16) In answer to a question from Cllr Knight, Mr Simmonds said that he had taken social deprivation issues fully into account. Indeed, this was the reason why he had decided that the proposal for the closure of St Radigund's, Dover, should not be proceeded with.

(17) Social deprivation was not such an issue in Aylesham because, if St Joseph's closed, the village would still have one viable, sustainable primary school with the resources to fully meet its social and community needs.

#### Denominational Issue

(18) In answer to a question from Mr Capon, Mr Cullinane said that, over the last 5 years, there had been a 50% increase (from 6 to 12 per annum) in the number of baptisms at the Roman Catholic Church in Aylesham. Currently, 50% of the pupils at St Joseph's School were Roman Catholic.

(19) In answer to a question from Mr Hart, Mr Doole said that the denominational issue had been at the forefront of the consideration of the future of St Joseph's and the figures for Roman Catholics in the school and in the area – both current and projected – had been checked and re-checked.

(20) In answer to a question from Mr Cullinane, Dr Craig pointed out that, over the last 3 years, at a time of falling rolls, the County Council had increased the proportion of places at RC schools and Church schools as a whole. At the end of the Primary Strategy process, even if St Joseph's closed, there would be a greater proportion of places at RC primary schools – in East Kent as well as in Kent as a whole – than before the process began.

(21) In answer to a question from Mrs Rowbotham about the need for schools offering a Christian ethos, Mr Doole pointed out that there were a number of C of E schools in the area surrounding Aylesham.

#### Transport Issues

(22) In answer to a question from Dr Eddy, Mr Doole said that no survey had been undertaken on the transport and traffic implications of the closure of St Joseph's because it was impossible at this stage to predict which alternative schools parents would choose. In any case, the impact on traffic was likely to be minor because the total number of pupils who would be displaced was relatively small.

#### Nursery Provision

(23) In answer to a question from Mrs Newell, Mr Doole said that there was a partnership (similar to a maintained) nursery at Aylesham School and a private nursery at St Joseph's. On the last occasion that the numbers had been checked, the nursery on the Aylesham School site had sufficient provision to accommodate local demand. Dr Craig said that there was also a designated (first wave) Children's Centre at Aylesham.

#### Closure Process

(24) In answer to a question from Mr Law, Dr Craig explained that, if the Cabinet Member Decision to issue a Public Notice for the closure of St Joseph's was implemented, the matter would then be referred to the independent Kent School Organisation Committee (KSOC). If any one of the five groups represented on KSOC objected to the proposal, it would have to be referred to the Schools' Adjudicator.

#### Conclusions

(25) In considering what conclusions the Committee should reach, Mr Smyth proposed, Dr Eddy seconded, that Decision 06/00816 on the proposal to close St Joseph's (Voluntary Aided) Catholic Primary School, Aylesham, be referred back to the Cabinet Member for Education and School Improvement for reconsideration, and implementation of the Decision be postponed in the meantime.

*Lost 8 votes to 5*

(26) Mr Law then proposed, Mr Capon seconded, that the Committee make no comments on Decision 06/00816 on the proposal to close St Joseph's (Voluntary Aided) Catholic Primary School, Aylesham.

*Carried 7 votes to 5*

(27) RESOLVED that:-

- (a) Mr Simmonds, Dr Craig and Mr Doole be thanked for attending the meeting and answering Members' and visitors' questions;
- (b) Mr Prosser and Cllr Knight be thanked for attending the meeting and giving their views;
- (c) no comments be made on Decision 06/00816 on the proposal to close St Joseph's (Voluntary Aided) Catholic Primary School, Aylesham.