

## KENT COUNTY COUNCIL

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### EDUCATION CABINET COMMITTEE

MINUTES of a meeting of the Education Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 19 March 2013.

PRESENT: Mr L B Ridings, MBE (Vice-Chairman), Mr G Cooke (Chairman), Mr R B Burgess, Mr A R Chell, Mr L Christie, Mrs P T Cole, Mr H J Craske, Mr J M Cubitt, Mrs T Dean (Substitute for Mr M J Vye), Mr M J Northey (Substitute for Mr J A Davies), Mr K Smith and Mr R Tolputt

ALSO PRESENT: Mr M J Whiting, Mr J Tansley and Mr R J Lees

IN ATTENDANCE: Mr P Leeson (Corporate Director Education, Learning and Skills Directorate), Mr K Shovelton (Director of Education Planning and Access), Mrs S Rogers (Director Education, Quality and Standards), Mr D Adams (Area Education Officer - Mid Kent), Mr S Bagshaw (Head of Fair Access), Mrs M White (Area Education Officer - East Kent), Mr S Webb (Principal Primary Adviser), Mrs Atkinson (Performance and Information Manager), Ms S Dunn (Head of Skills and Employability) and Mrs C A Singh (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **77. Minutes of the meeting held on 18 January 2013**

*(Item A4)*

1. RESOLVED that the Minutes of the meeting held on 18 January 2013 are correctly recorded and that they be signed by the Chairman.

#### **78. Verbal update by the Cabinet Member and Corporate Director**

*(Item A5)*

*(Mr S Bagshaw, Head of Fair Access was present for this item)*

1. The Cabinet Member, Mr Whiting, and the Corporate Director, Mr Leeson, gave their verbal updates advising of the following:

#### *Apprenticeships*

- Mr Whiting began by thanking the Skills and Employability Team for the “Kent Choices for You” live event held at the Detling Showground, Maidstone, which gave young people the opportunity to explore work and career opportunities Apprenticeships before they made decisions about their future. Over the two day event, 2000 young people attended as well as numerous employers from many sectors. His Royal Highness the Duke of York was in attendance at the event following his visit to the Swale Skills Centre, where 190 people were currently studying engineering.
- Following the launch of the 14-19 Strategy there were now over 10,000 apprenticeship sign ups coupled with 147 apprentices starting in Kent schools and 70 apprenticeships at KCC. Mr Whiting looked forward to receiving the report from the Select Committee for Apprenticeships, chaired by Mr Kit Smith.

### *National Offer Day*

- The 2011 secondary admissions round had been the most successful in recent years with 97.7% receiving one of their preferences and 84.2% receiving their first preference. Changes to government policy giving schools the freedom to expand and admit above admissions number had created the flexibility to provide greater choice for parents this coupled with KCC working with schools to see where school capacity could be increased to give children their preferred schools.
- There were projects by the Recruitment Team with 16 students from St Mary's and Minster Colleges, Belfast with 2 weeks of work experience, which was being financed by Mutual Understanding Fund [A fund from the Northern Ireland Office]. This was beneficial with students having the opportunity to experience teaching in the much wider context and schools making links with students they may wish to recruit in the future.

### *Sevenoaks Grammar Provision*

- Mr Whiting referred to the press release regarding Lord Nash, Parliamentary Under Secretary of State Schools that cast doubt on the Wilderness site location for the new grammar provision. Mr Leeson had written a clear response to Lord Nash that this County Council would strongly oppose any attempt by the Department for Education to improperly or irrationally remove the land from KCC's ownership given that it was required currently by the Knole Academy and in the future by the grammar provision after the Knole Academy vacate in 2015. He would update Members in the future of further details.

2. Mr Leeson reflected that 84.2% of parents received their first preference of school was a significant achievement as many other authorities were achieving around 60%.

- There was continued progress in Ofsted inspections in Kent, more schools were receiving a good outcome compared to previous trends. Nearly 50% of those schools were previously judged satisfactory and were now judged good.
- Since the last meeting the 14 -19 Strategy had been published which was leading to; the commissioning of various new provision for young people in that age group to have more success and employment with training, more cooperation between schools and FE colleges and helping KCC to provide more support to the more vulnerable students.
- A report would be submitted to this Cabinet Committee on the progress on the commissioning and a Pilot "Kent Integrated Support Service" a programme for adolescents, which would bring together all services that KCC provided as well as services provided by the Health Service, Youth offending etc as a single access point, multi agency response for vulnerable adolescents. That service had begun to make a significant difference and plans were in hand to roll out the service in other districts including; Swale, Canterbury and Shepway.

3. Mr Whiting and Mr Leeson noted comments by Members and responded to questions on the information given in their verbal updates which included the following:

- a) In reply to a question, Mr Bagshaw advised on the breakdown of the primary and secondary school preferences received as follows:

Primary Preferences	Number of pupils	%
1st	14264	86.45%
2nd	1127	6.83%
3rd	447	2.71%
LA Allocations	661	4.01%

Secondary Preferences	Number of pupils	%
1st	12754	84.22%
2nd	1456	9.61%
3rd	448	2.96%
4th	129	0.85%
LA Allocations	357	2.36%

- b) Mr Whiting agreed to provide the response from Mr Leeson to Lord Nash to Members.
  - c) Members praised the achievement of 84% of pupils receiving their first school preference.
  - d) Concern was raised regarding misreporting on social media sites regarding local authority services and how the local authority needed to be prepared to respond authoritatively and quickly.
  - e) In reply to a question, Mr Leeson explained that the Department for Education (DfE) had written two letters, one to the Director of Planning in Sevenoaks District Council about the Wilderness site land and consideration of its future use without KCC knowledge or warning and it was the first communication that the government was minded to use the powers that the Secretary of State had under the Academies Act to designate a piece of land for a free school. There had been previous correspondence with the DfE and Mr Leeson's office requesting that they consider the use of the Wilderness site for the proposed Free School, Trinity School. The response from KCC was that it had future educational use for the Wilderness site and it was not available. Mr Leeson received a letter from Lord Nash saying that the DfE was minded to start using the powers the Secretary of State had in the Academies Act. Mr Leeson advised that the DfE had not made a decision to initiate the process of using those powers hence his robust response on the plans for the land and therefore not available. Should the Secretary of State pursue the legal route KCC's legal team of advisors would look at the detail of the proposal and form its own legal position.
  - f) In reply to question, Mr Whiting agreed that the 10,000 apprenticeships need to see future job prospects and he would be looking to see what more could be done. He looked forward to receiving the report by the Select Committee on Apprenticeships.
4. RESOLVED that the comments and responses to questions by Members and the information given in the verbal update be noted with thanks.

## **79. Request by the Public to Speak on Item B8a**

*(Item )*

1. The Chairman made an announcement that he had received requests from members of the public to speak at this meeting on Item B8a "Decision number: 12/01977/2 Closure of Walmer Science College (Community) from September 2013". The Chairman advised that after considering the request he would not allow the public to speak on Item B8a.

2. Members were given the opportunity to discuss the issue. The Chairman asked Members to vote on whether the public should be allowed to speak on Item B8a. A request was made for a recorded vote, whereupon the votes cast were:

For (2)

*Mr Christie, Mrs Dean*

Against (8)

*Mr Burgess, Mr Chell, Mrs Cole, Mr Craske, Mr Northey, Mr Ridings, Mr Smith, Mr Tolputt*

*Vote: Lost*

3. RESOLVED that the request by the public to speak on Item B8a be denied.

## **80. Decisions Number 12/02025 - PRU / Alternative Provision / review of current services. The outcomes of the PRU Review and proposed new delivery models for Key Stage 3 and Key Stage 4 Pupil Referral Units and Alternative Curriculum Provision**

*(Item B1)*

*(Report by Mr M Whiting, Cabinet Member for Education, Learning and Skills and Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Ms S Dunn, Head of Skills and Employability was present for this item)*

1. Mr Leeson introduced the report which sets out the proposals for the future delivery of PRU and Alternative Curriculum provision in eight localities based on district or double district configurations, following the PRU Review and consultation with Headteachers and PRU/AC Managers.

2. Mr Leeson and Ms Dunn noted comments and responded to questions by Members which included the following:

- a) In reply to a question, Mr Leeson advised that the Alternative Curriculum Programme was the description of a whole range of options for young people from the age of 14 onwards. There were a range of services commissioned in different ways and provided by a wide range of providers some of which were good and some very poor. The responsibility to commission the Alternative Curriculum was with the County Council, that responsibility in law passes to Pupil Referral Units and then on to the management committees and the management committee would commission the alternative provision pathways.

- b) In response to a question, Mr Leeson advised that the funding for PRUs had been haphazard. There had been requests from schools for a transparent formula. The agreed formula was based on the levels of deprivation and numbers of pupils in parts of Kent, which was in line with government guidance. The figures given in table 1 of the report reflect the shifts of funding from current budget totals to the new formula funding that would be activated in 2014. Mr Leeson agreed to forward a summary of the data by district to Members outside the meeting.
- c) In reply to a question, Mr Leeson advised that there had been a review of the capital programme. A survey of the PRU accommodation was completed in March and was being analysed and there would be proposals to make steps to improve the accommodation.
- d) In reply to a question, Mr Leeson advised that there was a strong vocational offer which would include English and maths.
- e) In answer to questions, Mr Leeson advised that positions on the management committees would in the main be held by secondary school headteachers.
- f) Mr Leeson advised that the PRUs addressed a specific need for young people often aged 15 to 16 years old who do not have a school place and who it may be difficult to introduce into a GCSE examination programme in a main stream school their education was provided through the PRU provision through an alternative curriculum pathway. It was an expectation that Key Stage 3 should lead to reintegrating to mainstream school. However, from 14 years old and onwards sometimes it was better that the student did not return to the school where they were failing. The target was to maximise reintegration.

3. Mr Whiting stated that he considered that having a family of schools providing PRU provision was an exciting move forward and that PRU provision should not be viewed as a permanent destination.

4. Mr Leeson concluded by saying that some of the PRU provision was very good and took the opportunity of thanking Mrs Dunn and her Team for all the work carried out on the review.

5. RESOLVED that:

- a) the responses to comments and questions by Members be noted;
- b) the Education Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to approve;
  - i. the process for the re-constitution of new Management Committees with effect from April 2013 to include delegated powers over budget and staffing;
  - ii. the establishment of 8 locality hubs for the delivery of Key Stage 3 and Key Stage 4 PRU and Alternative Curriculum Provision; and

- iii. a wider consultation on these 8 proposals with parents, young people and other key service providers before implementation in September 2013.

**81. Decision No. 01/02002 - Proposed Co-Ordinated Schemes For Primary And Secondary Schools In Kent And Admission Arrangements For Primary And Secondary Community And Voluntary Controlled Schools 2014 /1**

*(Item B2)*

*(Report by Mr M Whiting, Cabinet Member for Education, Learning and Skills and Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr S Bagshaw, Head of Fair Access, was present for this item)*

1. The Cabinet Committee considered a report which gave the outcomes of the consultation on the proposed admission arrangements and scheme for transfer to Primary and Secondary schools in September 2014 and the proposed process for non coordination In-Year Admissions.

2. Mr Bagshaw noted the comments and responded to questions by Members which included the following:

- a) Mr Bagshaw advised that the local authority was the admissions authority for community and voluntary controlled schools only. All other school where they are their own admissions authority ie foundation schools academies and free schools would carry out their own consultation and then determine their arrangements.
- b) Mr Bagshaw clarified that there were two parts to making the admission arrangements; 1. To set our admission arrangements for community and voluntary controlled schools and 2. As a coordinating authority, KCC was required to coordinate arrangements to the normal point of entry for all schools that are located in Kent other than independent fee paying schools.
- c) Mr Leeson confirmed that there was an error in the papers; referring to Appendix D, page 117 of the report, Members noted that Walmer Science College was not awaiting an academy order.
- d) Mr Bagshaw advised that the admissions authority set the priority if a primary and junior school were linked.
- e) Mr Bagshaw confirmed that it was lawful for schools to have catchment areas. The setting of a catchment area would be based on the schools locality and the pattern of its intake.
- f) Mr Bagshaw gave an assurance that information regarding school transport would be given to schools to share with parents who are looking a different school options.
- g) Mr Bagshaw explained the local authority relied on the schools to check that the information given by parents regarding their address at the time when they were applying for school places was correct. If there was any evidence

that this was incomplete or incorrect the school would investigate and the local authority would support them in doing this.

3. RESOLVED that:-

- a) the responses to comments and questions by Members be noted; and
- b) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to determine the following:
  - i. The Coordinated Primary Admissions Scheme 2014/15 incorporating the In Year admissions process as detailed in Appendix A;
  - ii. The Co-ordinated Secondary Admissions Scheme 2014/15 incorporating the In Year admissions process as detailed in Appendix B;
  - iii. The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary schools in Kent 2014/15 as detailed in Appendix C (1);
  - iv. The oversubscription criteria relating to Community and Voluntary controlled Secondary schools in Kent 2014/15 as detailed in Appendix D (1);
  - v. The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2014/15 as set out in Appendix C (2);
  - vi. The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2014/15 as set out in Appendix D (2), and
  - vii. The relevant statutory consultation areas for Kent Primary Schools 2014/15 as detailed in Appendix C (3) and the relevant statutory consultation areas for Kent Secondary Schools 2014/15 as set out in Appendix D (3).

**82. Decision No.12/02000 - Proposed expansion of Harrietsham CE Primary School, Maidstone**

*(Item B3a)*

*(Report by Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr D Adams, Area Education Officer, Mid Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details of the Public Consultation held regarding the expansion of Harrietsham Church of England Primary School.

2. RESOLVED that:-

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Harrietsham Church of England Primary School;
- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless

any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and

- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**83. Decision No. 12/02012 - Proposed expansion of Fleetdown Primary School, Dartford**

*(Item B4a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details of the Public Consultation on the proposal to expand Fleetdown Primary School.

2. RESOLVED that:-

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Fleetdown Primary School;
- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**84. Decision No. 12/02013 - Proposed expansion of Dartford Bridge Primary School**

*(Item B4b)*

*((Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details of the results of the Public Consultation on the proposal to expand Dartford Bridge Primary School.

2. RESOLVED that:

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills on the decision to issue a public notice to expand Dartford Bridge Primary School.
- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**85. Decision No. 12/02016 - Proposed expansion of Oakfield Community Primary School, Dartford**  
*(Item B4c)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details of the results of the Public Consultation on the proposal to expand Oakfield Primary School.

2. RESOLVED that:

- a) The Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Oakfield Primary School;
- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**86. Decision No. 12/02020 - Proposed expansion of Knockhall Community Primary School, Dartford**  
(Item B4d)

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details on the results of the Public Consultation on the proposal to expand Knockhall Community Primary School.

2. RESOLVED that:

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Knockhall Community Primary School;
- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**87. Decision No. 12/02014 - Proposed expansion Manor Community Primary School, Swanscombe**  
(Item B4e)

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details on the results of the Public Consultation on the proposal to expand Manor Community Primary School.

2. RESOLVED that:-

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Manor Community Primary School.

- b) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**88. Decision No. 12/02019 - Proposed expansion of Whitehill Primary School, Gravesend**  
*(Item B5a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details on the results of the Public Consultation on the proposal to expand Whitehall Primary School, Gravesend.
2. Members were given the opportunity to make comments and ask questions which included the following:
  - a) Mr Webb confirmed that Whitehill Primary School was in the planning area of Gravesham West.
  - b) Mr Webb advised that the education standard of Whithill School had improved of the last 5 years at Key Stage 2 to the school being one of the highest performing schools in Gravesham bearing in mind that a large proportion of the children first language was not English.
  - c) Mr Webb advised that the maintenance of the School roof was a maintenance issue for which the local authority may receive a bid from the school to consider under the Improvement Grant. The local authority could not use Basic Need Funding for anything other than the enlargement of schools.
3. RESOLVED that:
  - a) the comments and questions by Members be noted;
  - b) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Whitehill Primary School;
  - c) the decision to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless

any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and

- d) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**89. Decision No. 12/02017 - Proposed expansion of St John's Church of England Primary School, Sevenoaks**

*(Item B6a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access, and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave details on the results of the Public Consultation on the proposal to expand St John's Church of England Primary School, Gravesend.

2. In reply to a question, Mr Webb advised that following the public meeting the local authority had engaged with the Highways Department on the concerns raised by residents and the Highways Department had undertaken a highways assessment of the access roads and the report of their findings was awaited.

3. RESOLVED that:-

- a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand St John's Church of England Primary School;
- b) the decisions to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**90. Decision No. 12/02015 - Proposed expansion of Langton Green Primary School, Tunbridge Wells**

*(Item B7a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. Mr Webb introduced the report on the results of the Public Consultation on the proposal to expand Langton Green Primary School, Gravesend.
2. In reply to a question, Mr Webb advised that the Local Member had been advised of the proposal.
3. RESOLVED that:
  - a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills to issue a public notice to expand Langton Green Primary School, Gravesend;
  - b) the decisions to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
  - c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

**91. Decision No. 12/02009 - Proposal to expand Southborough Church of England Primary School, Tunbridge Wells**

*(Item B7b)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report on the results of the Public Consultation on the proposal to expand Southborough Church of England Primary School.
2. RESOLVED that:
  - a) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education, Learning and Skills on the decision to issue a public notice to expand Southborough Church of England Primary School;

- b) the decisions to be signed by the Cabinet Member for Education Learning and Skills would be worded in such a way that the expansion was agreed unless any objections were received during the public notice period, and the Chairman and Opposition Spokesmen would be advised be noted; and
- c) if objections were received a 'part 2' decision would be taken in order to consider the responses before any final decision was taken. It was likely that these part 2 decisions should any be required would be taken outside of the Education Cabinet Committee meeting cycle, in accordance with urgency procedures contained within the council's constitution and statutory requirements, owing to the expansion timeframes be noted.

## **92. Decision No. 12/02018 - Proposed expansion of Pembury Primary School, Tunbridge Wells**

*(Item B7c)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mr S Webb, Area Education Officer, West Kent, were present for this item)*

1. The Cabinet Committee considered a report on the results of the Public Consultation on the proposal to expand Pembury Primary School.
2. The Chairman invited Mr Tansley, Local Member, Tunbridge Wells East, to speak. Mr Tansley advised that 474 were against the proposal and 7 were in favour. The main concern was that Pembury Primary School was being looked upon to solve what was considered by local people "a Tunbridge Wells problem", as the majority of the children that would fill the third class room would be from Tunbridge Wells. Further concerns included; the character of the school being diluted, the admissions criteria relating to siblings would mean that there would be a risk that children from Pembury would not be admitted to the school further down the line, and a major concern was the risk of increased congestion on Lower Green road within Pembury and on the access roads to Pembury. Mr Tansley advised that he had spoken with Mr Webb regarding alternatives. He understood that the investment required to admit 3 forms was £1.8 million and this was a lower figure than one of the other proposals on the expansion of Claremont School, Tunbridge wells.
3. Mr Tansley asked that the Cabinet Committee considered further work being undertaken on a further expansion of St Peter's School, Tunbridge Wells that was due to be expanded. St Peter's School was due to move to a green field site and expanded from a one form entry to a two form entry. Mr Tansley considered that as the majority of the children would be coming from Tunbridge Wells to the proposed expansion of Pembury School this would be a better solution, ensuring that; the pupils attended a school from the area where they lived; there was no additional congestion in Pembury road and the £1.8 million that was proposed for the expansion at Pembury Primary School could be used for a tailor made solution for a 3 form entry school on a green field site. Mr Tansley said that he recognised that there were pressures to find places for September 2013 and saw that a compromise may be for Pembury Primary School to have a temporary additional form, provided that this did not breach any statutory obligations to move to a permanent expansion to accommodate the pressing need for places and the additional time was used to look

at the proposal to expand a school that was closer to where the children lived. Mr Tansley concluded by advising that the Pembury village as a whole was opposed to the expansion of Pembury Primary School.

4. Mr Shovelton advised that it would be possible to look into Mr Tansley's proposal and for Pembury Primary School to be temporarily expanded whilst the proposal was being investigated. He explained that the expansion of St Peter's School was in the Commissioning Plan but did not meet the immediate demands partly because the Local Plan for Tunbridge Wells Borough Council did not yet include the development of that site, it was expected to be included shortly and nothing could proceed until such time. Mr Shovelton advised that it would be 2016 before St Peter's would be open on the new site would open and provide the extra capacity that was needed.

5. In reply to a question, Mr Shovelton explained that having the option to expand Pembury Primary School for two years would be preferable to allow time for the options to be considered and ensure that the right option was chosen and could be delivered then put through planning and the buildings to be created. To do this in 12 months would be difficult.

6. Mr Webb referred to page 213 paragraph 4.1 of the report and advised that there was an error and it should read "The majority of the respondents were not in favour of the proposal".

7. Following discussions, Mr Christie proposed, Mr Smith seconded that Pembury Primary School, Tunbridge Wells be temporarily expanded for one year to give officers time to explore alternative options for additional primary capacity within the Tunbridge Wells area.

*Vote: Unanimous*

8. RESOLVED that:

- a) the responses to comments and questions by Members be noted; and
- b) the Education Cabinet Committee recommends to the Cabinet Member for Education, Learning and Skills that the Pembury Primary School to be temporarily expanded for one year to give officers time to explore alternative options for additional primary capacity within the Tunbridge Wells area.

**93. Decision number: 12/01977/2 Closure of Walmer Science College (Community) from September 2013**  
*(Item B8a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mrs M White, Area Education Officer, East Kent, were present for this item)*

1. The Cabinet Committee considered a report on the responses to the public notice on the proposal to close Walmer Science College (Community) from September 2013.

2. Members were given the opportunity to make comments and ask questions which included the following:

- a) Mr Smith, Local Member, Deal, advised that that the information on page 228 paragraph 2.3 in the report should be removed as Dover District Council had made no decision regarding Walmer Science College. Mr Smith listed the number of opportunities that members of the public had to respond to the proposal to close Walmer Science College and that no substantial changes had been raised and asked that the decision to close Walmer Science School be taken.
- b) In reply to a question, Mr Leeson advised that the proposal was about two schools coming together creating one secondary school for the people of Deal and the technical way to bring this about was to close Walmer Science College.
- c) Officers agreed to respond to the request for the breakdown of the 58 comments quoted in paragraph 2.2 of the report and the number of signatures in the petition outside the meeting.
- d) Mr Christie suggested that; this consultation had been badly handled; the voice of the local people not being allowed to be heard was a failing of this Cabinet Committee. He suggested that a cruel blight had been put on Walmer as the number of pupils applying this year would be affected with the pending decision to close the School and that he would be opposing.
- e) In reply to a question, Mr Leeson advised that the Academy would be independent of the local authority control however; the local authority had a responsibility for the education of every child and young person in Kent and could request academies to give an account of their performance and their progress. KCC had a good working relationship with the academies in Kent so this would not be a problem.
- f) The Chairman invited Mr Cowan to speak. Mr Cowan considered that Dover District Council should have been in a position to make a decision regarding the Walmer Science School. He gave an account of the meeting of Dover Scrutiny Policy and Performance Board he attended where the future of Walmer Science School was discussed and raised concerns about the lack of engagement by KCC in that meeting. He advised that the Scrutiny Policy and Performance Board was unanimous in its recommendation that Walmer Science School should not close and listed the Board's concerns in making that decision. He urged the Cabinet Committee not to close Walmer Science School.
- g) Concern was raised about the clarity of information and terminology used in the decisions and reports to the Cabinet Committee. Officers would be mindful of the wording in reports in future.
- h) In reply to a question, Mr Leeson advised that there were TUPE arrangements being negotiated at present regarding the teachers.

- i) In response to questions, Mr Leeson advised that the Secretary of State had agreed to a new funding arrangement for Castle Academy which fully guaranteed, with full funding, the rebuilding of the school to accommodate the pupil admission number it would have for the future as a result of the amalgamation of the two schools. It was anticipated that the new school would be ready in 2016. The Walmer site would continue to be used for the provision of the newly amalgamated school and beyond that would continue to be used for educational purposes.

3. The Chairman requested and Members agreed that officers report back on the data regarding pupils, housing etc in the Dover/Deal area to this Cabinet Committee on a regular basis.

4. Mr Smith moved, Mr Craske seconded, the recommendations set out in the report.

5. The Chairman then put the recommendations to the vote. Mr Christie requested the vote to be recorded, whereupon the number of votes cast were:

For (8)

*Mr Burgess, Mr Chell, Mrs Cole, Mr Craske, Mr Northey, Mr Ridings, Mr Smith, Mr Tolputt*

Against (2)

*Mr Christie, Mrs Dean*

*Carried*

6. RESOLVED that:

- a) the responses to comments and questions by Members be noted;
- b) a regular report be submitted to this Cabinet Committee on the data regarding the numbers of pupils and housing etc in the Dover/Deal area be noted;
- c) no statutory objections were received during the public notice period be noted;
- d) the responses received from members of the public would be considered by the Cabinet Member when taking the decision;
- e) that the Education Cabinet Committee endorses the decisions to be taken by the Cabinet Member for Education, Learning and Skills to;
  - (i) close Walmer Science College; and
  - (ii) authorise the Director of Property and Infrastructure in consultation with the Director of Governance and Law to enter into any necessary contracts/agreements on behalf of the County Council.

#### **94. Primary Commissioning and relocation of Special Schools (Special School Review)- Thanet District**

*(Item B9a)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mrs M White, Area Education Officer, East Kent, were present for this item)*

1. The Cabinet Committee considered a report that gave an update on the arrangements in place to ensure sufficient school places were available in Thanet and the planned relocation of Laleham /Gap Special School.
2. RESOLVED that the Education Cabinet Committee endorses the proposal to:
  - a) increase capacity for September 2013 by adding temporary places in Year R at the following schools:
    - i.30 places at Bromstone Primary School
    - ii.30 places at Newington Community Primary School and Nursery;
  - b) consult on the permanent enlargement of Bromstone Primary School, Newington Community Primary School and Nursery and Cliftonville Primary School from September 2014; and
  - c) consult on the relocation of Laleham/Gap Special School from its current site to a new site at Westwood Cross.

#### **95. Primary Commissioning - Swale District**

*(Item B9b)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Education Planning and Access and Mrs M White, Area Education Officer, Mid Kent, were present for this item)*

1. The Cabinet Committee considered a report that updated Members on the arrangements in place to ensure sufficient school places were available in Swale and the proposals to commission additional provision.
2. RESOLVED that:-
  1. the Education Cabinet Committee endorses the Expansion Proposals listed below:
    - a) Consult on the significant enlargement of Lower Halstow Primary School from September 2014 through adding 10 places per year group, expanding the school to 1 FE
    - b) Support the Swale Academy Trust's consultation on the significant enlargement of The Westlands Primary School to permanently expand the school from 2 FE to 3 FE
    - c) Commence the process of commissioning additional Primary education capacity to serve Thistle Hill on the Isle of Sheppey
    - d) The temporary expansion of Eastchurch CE Primary School by increasing the admission number from 60 to 90 for September 2013 and 2014; and

2. the Education Cabinet Committee notes that the decision to issue a public notice on the permanent expansion of Ethelbert Road Primary School would need to be taken outside the Education Cabinet Committee meeting cycle, which was due to time constraints attached to work on the buildings that would need to take place before the 2013 summer holiday period to ensure that the school had the accommodation in place for September 2014.

**96. Decision number: 12/01962/2 - Proposal to expand The Discovery School, Kings Hill, Decision number: 12/02024/2 - Proposal to expand Palm Bay Primary School (Community), Decision number: 12/02001/2 - Proposal to expand Hawkinge Primary School, Decision Number: 12/01961/2 - Proposal to expand Repton Manor Primary School,**  
*(Item B10)*

*(Report Mr P Leeson, Corporate Director for Education, Learning and Skills)*

*(Mr K Shovelton, Director of Planning and Access, and Mr D Adams, Area Education Officer were present for this item)*

1. The Cabinet Committee considered a report on the results of the public notice period that recently closed for schools in the Mid Kent Area.

2. Mr Adams and Mr Shovelton noted comments and responded to questions by Members including:

- a) In reply to a question, Mr Adams advised that the provision of a new [third] primary school in Kings Hill would not impact on The Discovery School but potentially on Kings Hill School. The local authority had just received planning consent to have two classrooms to the front of The Discovery School that would provide for the bulge for September 2013 and 2014. It was planned that the new school would be in place for 2015 for either 2 or 3 form entry.

3. RESOLVED that:-

- a) the outcomes of the Statutory Public Notices be noted; and
- b) the Education Cabinet Committee endorses, the decision to be taken by the Cabinet Member for Education, Learning and Skills on the decision to:
  - i. implement the expansions to Palm Bay Primary School, The Discovery School, Hawkinge Primary School, and Repton Manor Primary School;
  - ii. authorise the Director of Property and Infrastructure Support in consultation with the Director of Law and Governance to enter into any necessary contracts/ agreements on behalf of the County Council; and
  - iii. authorise the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **97. Post 16 Transport Policy**

*(Item C1)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mr S Bagshaw, Head of Fair Access, was present for this item)*

1. Mr Bagshaw introduced the report that sets out proposed arrangements for Post 16 Transport in line with KCC's statutory duties and outlined the details of the successful Post 16 Transport arrangements in 2012/13 and proposed the continued support and operation of the Kent 16+ Travel card.

2. Mr Bagshaw noted the comments and responded to questions by Members which included the following:

- a) Mr Bagshaw advised that aside from the policies across London, KCC's Transport policy was not matched anywhere else in the country.
- b) Mr Bagshaw advised that the results of the consultation would be reported back to a future meeting of this Cabinet Committee.

3. RESOLVED that:-

- a) the results of the consultation would be reported back to a future meeting of this Cabinet Committee;
- b) the success of the 16+ Travel Card be noted;
- c) the proposed Post 16 Transport Policy for consultation (a continuation of existing arrangements) be noted; and
- d) the Cabinet Committee continue to support the operation of a Kent 16+ Travel Card.

## **98. Priorities for the Strategy for Special Education Needs and Disabilities**

*(Item C2)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mrs S Rogers, Director, Standards and Improvement, was present for this item)*

1. The Cabinet Committee considered a report that sought its views on proposed priorities for the Special Educational Needs and Disabilities (SEND) Strategy in Kent, based on a review carried out during 2012 and anticipating statutory change through the Children and Families Bill which was likely to be enacted with effect from September 2014.

2. Mrs Rogers and Mr Leeson noted the comments and responded to questions by Members which included:

- a) Mr Leeson advised that there were serious gaps in the provision of speech and language needs across Kent and in response £100,000 had already been allocated to SEND schools across Kent.
  - b) Mr Leeson advised that joint commissioning, with the NHS and Social Care would be challenging and that there was a general commitment to the integrated arrangements. He advised that it would be the responsibility of the Health and Wellbeing Board to monitor that arrangement.
  - c) Mr Leeson confirmed that the consultation was between April and June and would include a lot of face to face meetings and consultation that had already been arranged.
  - d) Mr Leeson advised that 45 responses were received from schools with SEND resources.
3. Mr Leeson confirmed that the stakeholder consultation would be forwarded to this Cabinet Committee before it was sent to the public.
4. RESOLVED that:-
- a) the responses to comments and questions by Members be noted;
  - b) the consultation on the draft proposals be forwarded to Members outside the meeting;
  - c) the priorities for the Strategy for Special Educational Needs and Disabilities be noted;
  - d) the plans for the stakeholder consultation be endorsed; and
  - e) the outcomes of the consultation would be brought back to this Committee for its further consideration in June before final approval by Cabinet in July 2013.

## **99. Update on the Kent Test Procurement Process**

*(Item C3)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mr S Bagshaw, Head of Fair Access, was present for this item)*

1. Mr Bagshaw introduced the report that sets out the proposed approach to future assessment arrangements in Kent in light of a recent review and survey of Headteachers' opinions on the Kent Test.
2. Mr Bagshaw noted comments and replied to questions by Members which included the following:
  - a) An opinion was expressed that it was wrong to decide a child's future on a one day examination.

- b) A view was expressed that it would be difficult to find a test that could not be coached for.
  - c) Mr Whiting explained that the aim was for the test to be as uncoachable as possible to have a level playing field for all children.
  - d) Mr Bagshaw explained that; 1. The review group of Headteachers were from all schools both primary and secondary, 2. There had been misreporting in the newspapers and Kent test papers were not reused. The organisation that produced the Kent test papers did produce tests that were sold in the high street but they were not the same test papers. 3. Kent was due to go out to tender with new organisation who could provide the test, 4. The local authority could not move the time that SATs were taken as they were set by the national timescale.
  - e) Mr Whiting explained that; 1.He did not consider that the local authority was in a position to say that every child took the Kent Test now and that there would be objection to such a proposal. 2. The number of children taking the Kent Test was over 60% across the County; and 3. All that could be done to close the gap for deprived children would be carried out and would be reported on and monitored through the Performance Scorecard. The indications were that the Key Stage 2 gap was closing.
  - f) A comment was made on the stringent control within the Headteacher Panels across the County on assessing students work for a selective school place.
3. The Chairman then put the recommendations to the vote.  
*Vote: 4 for and 2 against Carried*
4. RESOLVED that:-
- a) the responses to comments and questions by Members be noted;
  - b) the summary of views from the survey in Appendix 1 of the report be noted; and
  - c) the proposed procurement specification set out in Appendix 2 of the report be noted.

#### **100. St Philip Howard RC Primary School, Herne Bay**

*(Item C4)*

*(Report by Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mr Shovelton, Director of Planning and Access and Mrs M White, Area Education Officer, East Kent, were present for this item)*

1. The Cabinet Committee considered a report which informed of the decision taken by the governors of St Phillip Howard RC (Aided) Primary school, Herne Bay, to consult on the closure of the school by the 31 August 2013.
2. Mr Sholveton and Mrs White noted the comments and replied to questions by Members and agreed to ensure that Local Members were consulted on changes to schools in their electoral divisions and given the opportunity to comment.

3. RESOLVED that:-

- a) Officers consult Local Members of changes to schools in their electoral division and given the opportunity to comment be noted; and
- b) the information set out in the report and the proposed timetable for consultation including the timing of the Cabinet Member decision on the closure be noted.

**101. Education, Learning & Skills Directorate Financial Monitoring 2012/13**

*(Item D1)*

*(Report by Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

1. The Cabinet Committee introduced the standard report on the third quarter's full budget monitoring report for 2012/13 reported to Cabinet on 18 March 2013.
2. RESOLVED that the revenue and capital forecast variances from budget for 2012/13 for the Education, Learning & Skills Portfolio based on the third quarter's full monitoring to Cabinet be noted.

**102. Education Learning and Skills Performance Scorecard**

*(Item D2)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mrs K Atkinson, Performance and Information Manager, was present for this item)*

1. The Cabinet Committee considered a report which provided progress against all the targets set out in the business plans for key performance indicators.
2. RESOLVED that the Education, Learning and Skills Performance Scorecard be noted.

**103. Ofsted Inspection Outcome Up-date September 2012 - February 2013**

*(Item D3)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

*(Mrs S Rogers, Director of Standards and Improvement, was present for this item)*

1. The Cabinet Committee considered a report that gave a summary on the performance of the Kent schools in Ofsted inspections during the period September 2012 to February 2013 and reflected on the overall Kent position on Ofsted Inspections.

- 2. Members were given the opportunity to make comments and ask questions which included the following:
  - a) In reply to a comment, Mr Leeson advised that the national figures were published by Ofsted in October so there was a time difference to those produced by the local authority.
  - b) Members praised the significant improvement that had been achieved to date.
- 3. RESOLVED that the progress achieved to date in improving Ofsted inspection outcomes be noted.

**104. Decision No. 12/02022 - Proposed enlargement of Otford Primary School, Sevenoaks**  
*(Item E1)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

- 1. RESOLVED that Decision No. 12/02022 - Proposed enlargement of Otford Primary School, Sevenoaks was taken in accordance with the urgency procedure set out in Appendix 4 part 7 paragraph 7.18 the Constitution be noted.

**105. Decision No. 12/02021 - Proposed expansion of Maypole Primary School, Dartford**  
*(Item E2)*

*(Report Mr M Whiting, Cabinet Member, Education Learning and Skills and Mr P Leeson, Corporate Director, Education, Learning and Skills)*

- 1. RESOLVED that Decision No. 12/02021 - Proposed enlargement of Maypole Primary School, Dartford was taken in accordance with the urgency procedure set out in Appendix 4 part 7 paragraph 7.18 the Constitution be noted.

Chairman.....