

## **MINUTES OF THE SCHOOL ORGANISATION COMMITTEE OF CABINET**

**Held in COMMITTEE ROOM 1, CIVIC CENTRE, SUNDERLAND  
on THURSDAY 7 NOVEMBER 2019 at 3.30pm**

### **Present: -**

Councillor Farthing in the Chair

Councillors G Miller and G Walker.

### **In Attendance: -**

Julienne Collinson (representing the Assistant Director of Law and Governance), Alan Rowan (Retained Education Functions Lead, Neighbourhoods) and Hazel Mackel (Governance Services).

### **Declarations of Interest**

There were no declarations of interest.

### **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Kelly and Stewart.

### **Minutes**

4. RESOLVED that the Minutes of the meeting held on 17 July 2019 be agreed as a correct record.

### **Proposed Closure of Pennywell Early Years Centre**

The Executive Director of Neighbourhoods submitted a report presenting a proposal to discontinue Pennywell Early Years Centre.

Pennywell Early Years Centre currently operates as a local authority maintained nursery provision, offering education and day-care in the St Anne's ward of the city for children between the ages of 0 and 5 years old. It has been recognised as an outstanding provision by Ofsted.

Although the nursery's outturn at the start of the 2019/20 financial year was a surplus of £249,715, financial projections estimated that the nursery will operate an outturn deficit by close of 2021-22. It was noted that 89% of the nursery's current costs related to staff salaries and on costs.

Should Pennywell Early Years Centre become unsustainable as a maintained nursery school setting, there would be limited alternative nursery places in the area to meet demand. The two school settings in closest proximity to Pennywell Early Years Centre, namely Academy 360 and Grindon Hall Christian School, did not currently offer a nursery provision. January headcount data indicated that available nursery places at St Anne's RC Primary School and South Hylton Primary School were not sufficient to provide the required places for those on roll at Pennywell Early Years Centre.

The Council received a proposal, from the Directors of the Laidlaw Schools Trust (LST) responsible for Academy 360 and the Governors of Pennywell Early Years Centre, to amalgamate the two bodies. This could only be achieved by undertaking the closure process for the Pennywell Early Years Centre. There were three approval tiers of decisions required to effect the change: -

- The Council to discontinue the Early Years Centre;
- LST to secure approval from the Regional Schools Commissioner to lower the age range of the Academy from 5 years old to 0 in advance of the nursery provision amalgamation with the Academy; and
- LST to attain Ofsted registration for the delivery of early years provision for 0 to 2 year olds attending the provision.

In order for the Council to support the proposal, there would be no change to the nursery provision with day care for young children and babies. The nursery provision would continue to be provided in the same facility but under the management of the LST.

The change in the date of proposed closure of the Pennywell Early Years Centre from 31 December 2019 to 31 March 2020 was explained and that it had been required in order to give the LST sufficient time to secure the approvals of the Regional Schools Commissioner and Ofsted. It was proposed that the nursery provision, previously offered by Pennywell Early Years Centre, would be operated by Academy 360 as part of LST from 1 April 2020. Should the approvals not be in place by that date the proposed delegations in the report would enable the determination of an extended, modified date to implement the discontinuance proposal. In the event that the approvals were not forthcoming delegated authority was also sought to allow the necessary revocation proposals (of the discontinuance proposal) to be published.

Following a report to Cabinet in May 2019, a pre-publication consultation exercise took place between 17 May and 28 June 2019. The pre-publication consultation contained the Council's proposal to discontinue the nursery to facilitate the proposed amalgamation with Academy 360. The following groups were consulted: -

- Parents of pupils attending Pennywell Early Years Centre
- Current staff
- Local schools and nurseries
- Trade Union Representatives
- The wider local community
- Sunderland's Schools Forum

Of the twenty responses received, 90% agreed with the proposal to close Pennywell Early Years Centre to facilitate the amalgamation.

On 2 September 2019, the Council published notification of the statutory proposal to discontinue Pennywell Early Years Centre. The statutory notice period ended on 30 September 2019 and the Council received no responses to the notice.

The attention of the Members was drawn to the two negative responses to the pre-publication consultation exercise. Members were reminded that as there would be no change to the nursery provision with day care for young children and babies and that the nursery provision would continue to be provided with the same expertise in the same facility, but under the management of the LST, this answered the issues raised by those respondents.

The Committee having given consideration to the proposal, it was therefore: -

5. RESOLVED that: -

- (i) the responses to the statutory and pre-publication consultations be noted.
- (ii) Subject to Laidlaw Schools Trust obtaining the approval and registration required as outlined in paragraphs 7.1 and 7.2 of the report before 1 March 2020, the implementation of the proposal to discontinue (close) Pennywell Early Years Centre, Portland Road, Sunderland, SR4 9AX on 31 March 2020 be approved.
- (iii) the Director of Neighbourhoods, in consultation with the Chair and Vice-Chair of the Committee, be authorised to: -
  - (a) modify the above implementation date in the event that Laidlaw Schools Trust have not received the approval and/or registration required as outlined in paragraphs 7.1 and 7.2 by 1 March 2020; or
  - (b) publish a further statutory notice to revoke the existing discontinuance proposal.

(Signed) L FARTHING,  
Chair.

