

At a meeting of the SCHOOL ORGANISATION COMMITTEE OF CABINET held in the SANCTUARY HALL, BETHANY CHRISTIAN CENTRE, HOUGHTON-LE-SPRING on THURSDAY 16 JULY 2009 at 1.00pm

Present:-

Councillor P Smith in the Chair

Councillors Trueman, P Watson, D Wilson and N Wright.

Receipt of Declarations of Interest

There were no declarations of interest.

Apologies for Absence

There were no apologies for absence.

School Place Planning for the Future – Statutory Proposals – Gillas Lane Primary School

The Executive Director of Children's Services submitted a report which asked the Committee to consider a statutory proposal published by the Children's Services Directorate to discontinue Gillas Lane Primary School.

It was proposed that, in order to address the surplus place position in the geographical area, Gillas Lane Primary School be discontinued from 31 August 2012. Resources would then be transferred to Bernard Gilpin School as the receiving school to ensure long term stability for education in that area and to maintain and progress educational attainment.

The statutory notice relating to the proposal was published on 7 May 2009 with the six week representation period expiring on 18 June 2009. During the notice period for the proposals, a number of representations were received.

Paul Campbell, Head of Resources, Children's Services outlined the proposal to the Committee. He explained that the Council had a duty to review surplus places within all of its schools and had to take action when the number of surplus places reaches 10% across the City or 25% in an individual school. Reductions in the Published Admission Number (PAN) for a particular school can reduce surplus places,

however, beyond a certain point this is not always sustainable especially where schools are already at, or below, one form of entry.

As of May 2009, the number on the roll at Gillas Lane Primary School was 122 pupils, with a PAN of 30 for each year group and a net capacity of 210. This represented a 42% surplus in places. When looking at other schools in the area, Bernard Gilpin Primary School had 284 pupils on roll as at May 2009, with a net capacity of 350. This represented a 19% surplus. As the Local Authority has a duty to act where a school has a surplus of 25% or more, options had been explored to address the situation in the context of the area position.

The Head of Resources outlined the consultation process which had been undertaken and reported that a range of people were involved including teachers and staff, governing bodies, parents, the local MP, Church of England and Roman Catholic diocese representatives, the Early Years and Childcare Strategic Partnership and Ward Members. The views of pupils were sought in conjunction with Head Teachers. The formal process had been as follows:-

Stage 1 November/December 2007	Meetings with Head Teachers and Chairs of Governing Bodies.
Stage 2 May/June 2008	Meetings with staff, governors, parents/carers and other interested parties.
Stage 3 October/November 2008	Meetings with staff, governors, parents/carers and other interested parties.
Stage 4 February/March 2009	Meetings with staff, governors, parents/carers and other interested parties. Liaison with Head Teachers for pupil consultation.

At each stage, responses were invited from parents and the Council's Cabinet received reports which included notes of meetings held and responses to the consultations.

The statutory notice was published in the Sunderland Echo and posted at the main entrance to Gillas Lane Primary School and at Houghton Library. 123 representations were received as a result of the statutory notice and these had been presented as part of the agenda papers.

The Education and Inspection Act 2006 provides that the Authority must have regard to guidance issued by the Secretary of State when making decisions on statutory proposals. All proposals should be considered on their individual merits. The Authority should consider the effect on standards and school improvement, the need for places, the impact on the community and travel, specific age provision issues, special educational needs (SEN) provision issues and the views of interested parties.

The proposal, if approved, would reduce the risk of underperformance due to falling numbers and reducing budgets. Both Gillas Lane and Bernard Gilpin Primary Schools were operating with numbers below their capacity, but still had the full costs of maintaining the buildings. The proposal would result in the receiving school having

an increased budget which would result in economies of scale and greater flexibility, which would have a positive impact on standards.

If the proposal was approved, it would be implemented from 1 September 2012. The receiving school would be Bernard Gilpin Primary School.

Bernard Gilpin Primary School was built around 15 years ago to have a two form entry and a net capacity of 420 pupils. There were currently less than 60 pupils in the combined year groups of Bernard Gilpin School and Gillas Lane apart from Year 3, but this year group would have left the school by 2012. In addition, parents would have the option to apply to other schools if they wished.

Gillas Lane Primary School was not used by any community groups as there were other dedicated facilities in the area. The school currently offers breakfast and after-school facilities and family learning. The nearby Houghton Nursery School offers wraparound care.

65% of the pupils currently attending Gillas Lane Primary School live nearer to Bernard Gilpin Primary School so it was not anticipated that there would be a significant increase in traffic.

In relation to SEN provision, the budget for Bernard Gilpin Primary School would increase, which would lead to greater scope to employ more staff and to provide further training, which would lead to improvements in standards.

In relation to financial implications, the proposal is not a cost saving exercise. Savings which would be made from the fixed costs currently associated with Gillas Lane Primary School would be re-distributed to schools across the City. The increased budget for Bernard Gilpin would allow significant investment to be made in that school.

In connection with the staff, the Council would work with the school and the governing body to maximise redeployment opportunities wherever possible at Bernard Gilpin and across the City. Redundancies would be a last resort.

The Committee then had the opportunity to ask questions of the Council Officers.

Councillor Watson asked for further clarity regarding the funding distribution and potential redundancies. Paul Campbell explained that 90% of funding was pupil led with 10% for fixed costs. The receiving school would receive 90% of the base budget. The Authority would work to identify skills matches across the City for the redeployment process, but salary protection issues would be related to individual circumstances.

In response to a further question from Councillor Watson about the distance of travel to school, Paul Campbell advised that if Gillas Lane closed, the most additional distance to be travelled by any pupil would be half a mile.

Councillor Wright asked if the Authority had any comments to make on the consultation process as it appeared that parents did not believe that it had been adequate.

Paul Campbell highlighted that the Department for Children, Schools and Families (DCSF) required Authorities to consult with interested parties but it was felt that the Council had gone much further than the minimum requirements. The process had started two years ago and the Authority had gone back to consult all interested parties on many occasions.

Objectors to the proposal were then given the opportunity to ask questions of the Council Officers. They commented that focus groups should have been offered and that they were just told to put comments on a consultation form without having their issues really listened to by Officers. The Authority referred back to the series of meetings which had been held over the last few years where large numbers of people had attended and made representations. It would be practice to use focus groups following a proposal being approved to ensure a smooth transition.

Attention was drawn by the objectors to the situation where children would walk past Bernard Gilpin Primary School to reach Gillas Lane, and it was suggested that this indicated a clear choice had been made for pupils to attend Gillas Lane. However, Paul Campbell asserted that the reverse was also true in that children went past Gillas Lane Primary School to attend Bernard Gilpin. This indicated that both schools were looked on as a community resource and that a single school could meet the needs of local people.

Reference was made to classroom size issues at Bernard Gilpin School and whether remodelling would lead to the loss of ICT and library facilities. Val Thompson, School Place Planning Manager, advised that the classroom size would be increased at Bernard Gilpin to meet new building specifications but none of the existing resources at the school would be lost.

At this point in the meeting, the objectors to the proposal were invited to make representations to the Committee.

The first speakers were Anna Watson and Janine Johnson, parent governors from Gillas Lane Primary School. The speakers wished to highlight issues relating to Ofsted inspections at both Gillas Lane Primary School and Bernard Gilpin Primary School.

They felt there was confusion about how the results of Ofsted inspections were taken into account in the school organisation process. The speakers stated that the Deputy Executive Director of Children's Services had said that Officers did not take Ofsted into account when looking at the closure but the most recent Cabinet report said that it was considered. The speakers went on to highlight the respective results of Ofsted inspections for Gillas Lane and Bernard Gilpin schools.

Ms Watson and Ms Johnson went on to say that the Ofsted results for Gillas Lane strongly influenced their choice of school for their children and they could not understand why it would be considered for closure. They were aware that Bernard Gilpin School may require extra support and felt that putting additional children in the school would not improve the situation. They believed that standards of education would fall due to the transition and increased numbers at Bernard Gilpin.

Ms Watson and Ms Johnson concluded by saying they felt that there was room for two very different schools in the area.

Councillor Paul Watson highlighted that inspection ratings could fluctuate over a period of time and queried if the apparent difference in standards was enough to affect a parent's choice of school. Ms. Watson responded by saying that parents were advised to consider Ofsted reports when choosing schools so would be more likely to select one which was rated as 'good'.

Sue Morgan, Senior School Improvement Officer commented that all Ofsted reports were public and everyone had the right to view them. Standards were of huge importance to the Local Authority. There was no evidence that standards would be adversely affected due to the transition of pupils between schools, and indeed there were examples of improvements in the City when schools have been re-organised. The outcomes for children from both Bernard Gilpin and Gillas Lane Schools were broadly the same in terms of results, with only slight differences year on year in each subject area.

Councillor Wakefield, Ward Councillor for Copt Hill, then outlined his objections. He said that Gillas Lane School was well established and well run but it was also in the heart of a regeneration area and a central focus for that area. He stated that parents had not had an explanation about why school amalgamation was not chosen as the proposal rather than closure. He felt that education standards would fall if pupils were faced with changing to a new school with different staff. He considered that the position should instead be reviewed once the area had been regenerated.

Val Thompson replied that if the proposal was to go ahead, then the three year timescale would enable a transition phase to be put in place so that children would be familiar with the staff and layout of Bernard Gilpin School from day one. Paul Campbell added that amalgamation would require both schools to be closed and a new school established which would entail uncertainties for both sets of staff. There was no other community demand for the use of the surplus accommodation.

Councillor Derrick Smith, Ward Councillor for Copt Hill, then addressed the Committee and outlined his objections to the proposals. Councillor D Smith displayed graphs he felt showed that combining birth rates in Copt Hill and Houghton Wards showed a general upward trend, rather than a reduction. Calculations had also shown that the generation of pupils per 100 houses was almost 15, when Officers had used the national average of 12.

Building work for new houses would not take place straight away, this was acknowledged by the objectors, but regeneration would lead to new families moving in and new pupils for both schools. Councillor D Smith drew attention to the current situation with Easington Lane Primary School which had only been opened within the last three years, but already had the need for two Portakabin classrooms. Hetton Lyons School had also had similar issues and this has shown that planned school capacity and actual intake can be very different.

Councillor D Smith concluded by saying that local figures needed to be used to assess the capacity and requested a postponement of the decision to enable

Officers to look into the detail of the current and predicted population data and its likely impact on the number of potential school children.

Councillor Watson commented that when plotting a graph of the birth rates, if you take the major peaks and troughs out then a different trend line may appear. Councillor D Smith agreed that the numbers fluctuated but there was a general upward trend and the graph had been designed by experts.

Paul Campbell advised that the information the Authority used was from nationally recognised sources. 2007 and 2008 data showed the ongoing trend of birth rates declining. Information had been sought from colleagues in the planning department and not all new housing was for families. There was a mixed tenure, with properties also being built for the elderly.

Steven Johnson, a parent of children attending Gillas Lane School, addressed the Committee outlining his objections to the proposal. Mr. Johnson stated that he felt the decision had been made in Officers' minds before the consultation started. He did not feel that a proper summary had been given detailing the pros and cons of each option and that all documentation had been written with a bias towards Option 1, to ignore Option 2 and discredit Option 3.

He drew attention to the cost of remodelling Bernard Gilpin School which was quoted as £750,000 and the savings associated with closing Gillas Lane which would be £150,000 per annum. This would be a five year payback process.

No costs had been presented for Option 3 and figures given for remodelling and demolition seemed to be contradictory and inaccurate. Mr Johnson, using the Authority's figures provided to him following his request, in relation to Option 3, had calculated the total cost for works following the closure of Gillas Lane School to be £1,280,000, which would lead to a payback period of eight and a half years. As the plan was not to be implemented until 2012, it would be 2020 before any profit was realised. However, he also stated that Officers figures expire in 2014 and at this point no-one could predict what school facilities might be needed. In addition the costs do not take account of redundancy payments.

Mr. Johnson concluded that if Officers could be wayward in the key issue of costings, then they could be wayward in other areas and asked that the proposal be rejected so that the Authority and local people could work together to reduce the capacity of the schools whilst maintaining both of them.

Paul Campbell responded by saying that the work to address surplus places had not been a cost saving exercise. It was a full options appraisal with potential solutions being examined against the standards set out in legislation. Work which would be undertaken at Bernard Gilpin would be through capital funding and savings made at Gillas Lane would be revenue to be invested back into schools. Two different funding streams were involved. He emphasised that these proposals were not something which the Council took lightly.

The capital value of works did include fees and it was highlighted that schools currently have asset management plans to make best use of their resources. The figures for the options were different as, for example, there were £100,000 worth of

repairs outstanding at Gillas Lane, and demolition costs would be significantly different at Gillas Lane as a 40 year old school and Bernard Gilpin as a 15 year old school due to the materials used. The possible existence of asbestos always had to be taken into consideration with older buildings which would increase costs even if it was determined that it was not present.

Margaret Coulbeck then addressed the Committee, outlining what she felt would be a better solution to the issue of surplus places. Mrs. Coulbeck was representing the Gillas Lane Action to Support School group (GLASS) and stated that the group continued to support Option 3 which would be to retain and remodel Gillas Lane Primary School. It was obvious that there was a need to address surplus places at Bernard Gilpin School and Houghton Nursery. An alternative solution which GLASS believed would be preferable would be to retain Gillas Lane Primary School, integrate the nursery provision into the main school and to change the location of Houghton Nursery, integrating it into Bernard Gilpin School. Mrs Coulbeck stated that this option could not have been presented during the consultation as nursery provision had been unclear with additional information only provided in the later stages.

It was noted that staff from Gillas Lane Primary School would be made redundant under Options 1 and 2, with staff from Bernard Gilpin also being affected under Option 2. Having carried out a SWOT analysis for the option proposed by GLASS, Mrs Coulbeck stated that there were a large number of strengths in this proposal, which was termed Option 4.

Taking up this option would be an opportunity for the Council to show that it listened to its voters. The school was in a deprived area and this option was a chance to improve services. It would enable economies of scale with teaching staff resources to be reviewed and parking provision to be reconsidered. Mrs Coulbeck referred to five outstanding complaints which were currently being considered by the Local Government Ombudsman in relation to the process undertaken with regard to the proposal. This negotiated solution would resolve those ongoing Ombudsman complaints and would be a win/win situation for the Authority. Mrs Coulbeck emphasised the local community's wish to support the Council in achieving a bright and happy future for the children in the area.

Paul Campbell highlighted that the option appraisal had been completed earlier in 2009 and at this stage, new options could not be considered as Members were being asked to consider the proposal before them. He also stated that the information on the nursery situation was clarified in February and minuted at that meeting. He stated that moving Houghton Nursery to Bernard Gilpin would merely be moving the problem. He considered that the option put forward by Mrs Coulbeck did not address surplus places and the size of the school. Issues around "cost improvement" were about making the best use of resources, not saving money.

Mrs Hambleton, Head Teacher of Gillas Lane Primary School then addressed the Committee. She stated that she was strongly against the closure of Gillas Lane Primary School and believed that there should be two schools in the local area.

Mrs Hambleton highlighted the support that the school had from parents and asked the Committee to think about the community which the school serves. The Coalfield

area was unlike others in the City and had distinctive features. Gillas Lane Primary School was situated in one of the 5-10% most deprived Super Output Areas of England, where unemployment rates were high and 42% of children receive free school meals. Children attend the school who have witnessed domestic violence, who have seen their parents drinking or taking drugs and who arrive at school without breakfast or PE kits. A high proportion of pupils have special needs. It was in this context that the school operated and these were the challenges faced by the staff at the school on a daily basis.

The school were very proud of their academic results and children made excellent progress by the end of the Foundation Stage. High results were also attained at the end of Key Stage 2 and the value added of 100.4 was above the average for Sunderland. A greater percentage of children achieved Level 5 in all areas than the City average.

The Local Authority had to be mindful of the needs of children with special educational needs and Gillas Lane had done very well in this area. Looked after children and asylum seekers had also achieved well at Gillas Lane. This year there had been no exclusions and self esteem was good.

Mrs Hambleton said that Gillas Lane was able to do the things it does due to it being a small school and the staff having a good knowledge of the children and their families. Ofsted had rated the pastoral care at Gillas Lane as outstanding and the staff feel that they go that extra mile for the pupils. The staff were a close-knit team who offer consistent approaches to children. The nursery staff were also an integral part of the school team and help the transition for children between nursery and school.

She highlighted that councils have agreed policies on locality based working and placed an emphasis on Children's Centres, but for Gillas Lane parents there was not an easily accessible Centre. She stated it was wrong to close the school when standards were high and provision was good.

Mrs Hambleton considered that transferring children to Bernard Gilpin would make safeguarding more difficult and although the budget would increase, she did not feel that this alone could result in improved provision for those with special educational needs. Parents need to know that they have teachers they can trust, and Gillas Lane had managed difficult and challenging pupils in the past. This would be much more difficult to achieve in a larger school, and there was no evidence that the move would benefit pupils educationally.

The Secretary of State had encouraged Local Authorities to offer parents a choice of school places and closing Gillas Lane would not meet this need. Mrs. Hambleton reiterated that she felt there was a need for two schools in the area and as Gillas Lane was a popular school it should be remodelled and retained. Since the statutory notice was published, no pupils had left the school.

Sue Morgan acknowledged that Mrs Hambleton had given a detailed picture of Gillas Lane School but noted that many schools faced the same problems and issues around children's experiences, and that deprivation impacted on many schools in the

City. Standards in Key Stage 1 and 2 were broadly similar at Gillas Lane and Bernard Gilpin and children made similar amounts of progress at both schools.

The Ofsted inspections which had been referenced in the presentations for Bernard Gilpin School had taken place some time ago. Bernard Gilpin had worked significantly with the Local Authority to address the issues raised and had been suffering with staff absences at the time of the inspection. It was understood that the picture now was very different from a year ago.

Val Thompson advised that if Gillas Lane Primary School was remodelled to realign capacity, then teaching space would have to be taken out in line with DCSF instruction. Small classes would then not be sustainable and mixed age classes would have to be established. In relation to the pupil numbers, the school had lost 12 pupils between January and May this year, who had moved out of the area.

Councillor Heron, Ward Councillor for Copt Hill, addressed the Committee. He paid tribute to the staff at Gillas Lane for their Ofsted inspection results.

Councillor Heron stated that the deprivation figures in the area had not changed since Houghton Infant School had joined with Gillas Lane Primary School a number of years ago. There had already been a proposal to use existing classrooms for the nursery which would utilise some of the empty space. The local estate needs two schools and the future development would be in two parts, one for the elderly and the second for family housing. There could be a future need for the school to be extended if new housing was to be developed.

David Coulbeck, Chair of GLASS, addressed the Committee, detailing his concerns about the proposal to close Gillas Lane. He highlighted what would be lost if the school was to close. Gillas Lane Primary School was a good school, well respected by parents and the local community. Pupils thrived there and felt happy and safe.

The school was important to the community and if the Committee had seen the successful Arts and Culture evenings and sports days then they would understand this. The Committee had not taken up an opportunity to visit the school. The use of the term 'discontinue' made Gillas Lane seem to be devalued and having to send comments to PO box number 101 added to the sense that people's views were being disregarded.

Mr Coulbeck stated that there was a fundamental difference of opinion between parents and carers and Council Officers. Officers were concerned with buildings and budgets, whereas parents and carers were committed to the children, the school and their education. Mr. Coulbeck stated that he believed the consultation process was flawed and left many unanswered questions. Parents believed that their views did not matter. Mr. Coulbeck applauded the Council's commitment to improved consultation but this was not the standard which Gillas Lane had received.

There was a lack of strategic planning in the process and making forecasts about future pupil numbers was an art and not a science. Other councils had closed too many schools in error. The Coalfield was a major regeneration area with an increasing birth rate and many new houses due to be built in the next 5 to 10 years. There was uncertainty about what would happen in the future in relation to the credit

crunch and house building, and if the Council got this wrong it would be an expensive mistake. Instead a wait and see approach should be taken.

Mr Coulbeck stated that Gillas Lane seemed to have been treated differently to other clusters. The Monkwearmouth cluster had been remodelled with changes to the Published Admission Number (PAN). There was an uncertainty about future pupil numbers in the Gillas Lane area so it was queried why the cluster could not be dealt with in the same way as Monkwearmouth.

Gillas Lane Primary School was very good at its job and this would be lost if the proposal went forward. It was felt that there was a streak of unfairness running through the proposal and Option 1 was the worst possible option for pupils. They would not get a brand new school with a new identity and it was a slap in the face for the teachers at Gillas Lane who stand little chance of getting a job at Bernard Gilpin School under this option. Parental choice would be severely limited. If 65% of Gillas Lane pupils live nearer Bernard Gilpin, it shows that they have chosen to go to Gillas Lane. The proposal was unfair on the Gillas Lane community and although it does not have clubs and external organisations using the school, it was at the heart of the community.

Mr Coulbeck said that he appreciated the Local Authority had a duty to deal with this issue, but there were different ways of managing the situation. GLASS had been constructive in devising another option which provided a smoother transition and would be good for everyone. He concluded by saying that schools like Gillas Lane Primary School should be supported, encouraged and nurtured.

Councillor Watson made reference to the consultation and the depth of the process and highlighted that the Cabinet had received reports and notes of the meetings at each stage. He asked what more Mr. Coulbeck would have liked to have seen in the process.

Mr Coulbeck responded that he felt more could have been done at Stage 3 (October 2008) as people were asked for their views but they did not have enough information to do this. He felt decisions had been made outside that meeting which did not give people any choice in the matter. At the next stage, parents were consulted upon one option that no parents had agreed to.

Paul Campbell stated that he did not believe a formal invitation had been issued to Members to visit the school. He reiterated that the proposal to close Gillas Lane School was not about taking money out of the system but about making better use of it. The consultation process was part of the options appraisal. The Leader of the Council had previously said that the Authority would not shy away from making hard decisions and this was one of those occasions. The option developed by GLASS could not be considered as it had not been through the appraisal process and was a short term solution. If the issue was not addressed now, then the Council would have to come back to the matter again and again.

Having ascertained that all participants had received an opportunity to ask questions, the Chairman of the Committee asked the speakers if they wanted to make any final, brief comments to the Committee.

Paul Campbell reiterated that there were 42% surplus places at Gillas Lane Primary School and pupil number information suggested that this situation will only get worse. It was appreciated that this was an emotive issue but the situation as it was could not continue.

Councillor D Smith commented that any population statistics for 2008 were only provisional and that the Council were using local statistics when it suited their purposes and national statistics when they backed up their case. The situation in Hetton and Easington Lane had not been predicted by the statistics, so there was no reason to believe that the situation in the Gillas Lane area had been accurately forecast.

Steven Johnson emphasised that the cost of demolition for Gillas Lane was based on removing a nursery building which was newer than the school and so therefore the costs would increase. It was acknowledged that two different budgets were involved but it was still taxpayers' money.

Mrs. Hambleton stated that she accepted that all schools experience challenges but Gillas Lane served a very specific area and she doubted that there were many schools where the Head Teacher knew all the children individually. The school was realistic that remodelling would be required and would involve mixed classes and a smaller school. Steven Johnson added that he felt there was an incorrect perception that mixed year groups would cause a problem. He did not see why children could not be taught on the basis of ability and there should be as many classes as were required.

Anna Watson stated that she believed that there would be no benefit in closing Gillas Lane Primary School. Margaret Coulbeck again emphasised the view that the consultation had not been adequate and was not in an acceptable format. GLASS had developed a realistic, sensible and pragmatic solution and Mrs. Coulbeck asked the Committee to delay making a decision until they could consider that option more closely.

In response to a query from Councillor Trueman about the ongoing complaints in the hands of the Local Government Ombudsman, Julianne Collinson, the Assistant Chief Solicitor confirmed that the Ombudsman could not direct the Authority not to make a decision on the proposal whilst the complaints were outstanding, and indeed had not done so. In addition, the Ombudsman could not direct the Authority to reconsider a decision once it had been made. Following consideration of the complaints and the Authority's response, the Ombudsman would make her own separate determination in relation to the processes to which the complaints relate.

Following a further question from Councillor Wright, Ms. Collinson stated that under the provisions of the legislation the Committee had two months from the end of the representation period to make a decision on the proposal. The representation period ended on 18 June 2009. If the Committee did not make a decision during this time, then the matter would be referred to the Office of the Schools Adjudicator for determination. Adjudicators are appointed by the Secretary of State, but act independently. The Assistant Chief Solicitor also advised that if the Committee were minded to defer the decision on the proposal until the Local Government Ombudsman had finalised her investigation into the outstanding complaints, then it

was unlikely that her decision would be received before the end of the two month period, and in that case, the matter would have to be passed to the Schools Adjudicator. In that situation, it would be entirely a matter for the Adjudicator as to whether their determination was put on hold pending receipt of the Ombudsman's decision.

Councillor Wright asked Mrs. Hambleton if she felt that the staff at the school had a vested interest in the school staying open. Mrs. Hambleton replied that she believed they did and went on to explain that they were a very stable group of staff, a large number of whom had spent many years at Gillas Lane Primary School. The staff worked together as a team, and wanted to remain as a team.

Councillor Wright also asked if Officers could elaborate on the comments made about misinformation with regard to the nursery and the breakdown of costs proposed by Steven Johnson.

Val Thompson stated that the Authority had accepted that there was confusion about the nursery provision at Stage 3 and it was subsequently confirmed that there would not be a nursery at Bernard Gilpin if Gillas Lane Primary School was closed. The consultation responses at Stage 3 and Stage 4 were broadly similar in their opposition to the current proposal, so the clarification upon the nursery provision did not seem to be a factor which had resulted in people changing their views.

Paul Campbell stated that he did not agree with Mr. Johnson's financial assessment and that it was not appropriate to compare revenue and capital costs.

The Committee moved on to its deliberations in relation to the proposal put before them. The Chairman advised that a majority vote would be required to carry a decision on the proposal. The recommendation in the report was to approve the proposal.

The Committee had to have regard to Guidance issued by the Secretary of State for Decision Makers in considering the proposals and those elements were outlined in section 5 of the report. Whilst the comments of all the speakers at the meeting were acknowledged, the Chairman did feel that the consultation process had been adequate and met all the requirements set out by DCSF. It was also felt that all interested parties had been given the opportunity to express their views and the Committee were clear about their feelings in relation to the proposal.

Councillor Watson stressed that the Committee must not consider irrelevant issues and that emotions should not factor in the decision making process. He stated that he was also satisfied that sufficient consultation had been carried out and had been fully documented. In relation to the other matters to be considered on receipt of statutory proposals as set out in the Guidance, a valid notice had been published, there were no related proposals and no information was missing. In relation to the factors to be considered, on parental choice and diversity, closure would always result in a reduction in choice but it was noted that in this case both Gillas Lane and Bernard Gilpin were community schools. Councillor Watson felt there was little difference in the standards at both schools, and there was no evidence that standards would fall upon the closure of Gillas Lane. The proposal would resolve the significant surplus places issue and after 2012, Bernard Gilpin would have the

capacity to accommodate the displaced pupils. Gillas Lane was not used by outside groups for community activities, and in relation to travel considerations, more pupils live nearer Bernard Gilpin School. Potential improvements to SEN had been identified. The views of all interested parties had been carefully considered and balanced against the acknowledgement that something needs to be done.

The objectors had asserted that information on which the proposal was based was incorrect and the process had been flawed. If the Committee were to make a final decision today, it could render any subsequent decision by the Ombudsman ineffective, if the Ombudsman came to different conclusions on any of the issues. Therefore, Councillor Watson's view was that the matter should be deferred until the Ombudsman's decision had been received. If the Ombudsman had not been involved, having reviewed all of the factors, Councillor Watson's view would be to approve the closure proposal. However, in the interests of the community, the fair outcome would be to defer a decision today.

At this point, the Chairman of the Committee stated that she supported the proposal to close Gillas Lane Primary School but reminded the other Members of the Committee that they were able to propose an alternative motion if they wished.

Councillor Watson, seconded by Councillor Wilson moved to defer consideration of the proposal to close Gillas Lane Primary School until after the Local Government Ombudsman had concluded her investigation into complaints submitted regarding the consultation process which had taken place prior to the publication of the statutory notice.

With four members voting in favour of the motion and one against, it was:-

1. RESOLVED that the decision on the statutory proposal to discontinue Gillas Lane Primary School be deferred until the Local Government Ombudsman had concluded her ongoing investigations.

(Signed) P SMITH
Chairman

