

## **SELECT COMMITTEE ON CHILDREN'S SERVICES**

Tuesday, 25<sup>th</sup> November, 2008 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Ms Boleyn (Vice Chairman in the Chair)  
Councillors D Blood, Crumpton, Mrs Dunn, Hanif, P Harley, Islam, Ms Partridge, Mrs Rogers, Stanley and Wright, ;Mr Jones, Mrs Roe, Mrs Simms, Mr Smith and Mr Taylor

### **OFFICERS**

Director of the Urban Environment (Acting Lead Officer to the Committee), the Interim Assistant Director of Law and Property (Legal and Democratic Services), the Democratic Services Manager and Mr Sanders (all Directorate of Law and Property)

### **ALSO IN ATTENDANCE (BY INVITATION)**

The Leader of the Council  
Councillor Mrs Walker (Cabinet Member for Children's Services)  
The Director of Finance  
The Director of Children's Services and the Assistant Director of Children's Services (without portfolio)

### **42      APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Hill and Nottingham, Mrs Cunneen, Mrs Verdegem and Reverend Wickens.

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### **43      DECLARATIONS OF INTEREST**

No member declared a personal or prejudicial interest, in accordance with the members' Code of Conduct, in respect of any matter to be considered at this meeting.

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### **44      SUBSTITUTE MEMBERS**

It was reported that Councillor D Blood and P Harley were serving in place of Councillors Nottingham and Hill, respectively, for this meeting of the Committee only.

CALL- IN OF CABINET DECISION OF BUILDING SCHOOLS FOR THE FUTURE AND ACADEMIES (RESOLUTION TO MINUTE 52 OF THE MEETING OF THE CABINET HELD ON 29<sup>TH</sup> OCTOBER, 2008)

A report of the Acting Lead Officer was submitted on the decision of the Cabinet as set out in the resolution to Minute 52 of the meeting of the Cabinet held on 29<sup>th</sup> October, 2008. The decision had subsequently been called-in at the request of five elected Members, in accordance with Select Committee Procedure Rules set out in the Council's Constitution.

Accordingly, this special meeting of the Committee had been arranged to scrutinise the following decision of the Cabinet:

- (1) 'That progress to date on Building Schools for the Future and Academies be noted.
- (2) That the Cabinet determine to proceed with the Academies Programme as set out in paragraphs 20-31 of the report now submitted.
- (3) That the Expression of Interest for Building Schools for the Future, as referred to in paragraphs 2-19 of the report now submitted, be deferred to wave 8 or a later stage.'

A copy of the report submitted to the meeting of the Cabinet, together with the background documentation referred to therein, was attached to the report now submitted. The questions asked by the members who had called-in the decision had been circulated immediately before the start of the meeting, and the answers to the questions were circulated following the opening remarks of the Chairman and the presentation of the report by the Acting Lead Officer.

In opening the meeting, the Chairman outlined the procedure to be followed. The Acting Lead Officer then presented his report giving the background to the key issues to be addressed by the Committee. In relation to the issue of members and officers being required to give account, pursuant to Select Committee procedure rule 13, and to the attendance by others, pursuant to the Select Committee Procedure Rule 14 it was

**RESOLVED**

- (1) That the members and officers to be required to give account comprise the following:-

Councillor Mrs Walker, Cabinet Member for Children's Services  
Councillor Caunt, Leader of the Council  
Mr J Freeman, Director of Children's Services  
Mr M Williams, Director of Finance

- (2) That Mr B Heavisides, Chairman of the Dudley Secondary Head teachers Association, be invited to answer the questions put to him by the members calling in the decision.

The matter of a request by the members calling in the decision for the draft expression of interest for wave 7 to be made available to all members of the Committee was then addressed by the Acting Lead Officer. He reported that, since the preparation of the document comprised work in progress, it was not sufficiently complete to be put before the Committee and the request could not therefore be complied with.

At this juncture, the written responses of the Leader, Cabinet Member for Children's Services, Director of Children's Services, Director of Finance and Mr Heavisides were circulated around the table and there was an adjournment of 15 minutes from 6.10 pm – 6.25 pm in order to enable the responses to be read by members of the Committee.

The main and other related supplementary questions were then asked by the members calling in the decision and other members of the Committee and were answered by the members and officers required to attend the meeting pursuant to Council Procedure Rule 13 and Mr Heavisides, in the following order:

The Cabinet Member for Children's Services, the Leader of the Council, the Director of Children's Services, the Director of Finance and Mr Heavisides.

At the conclusion of the detailed consideration and discussion on the questions and answers, the members and officers required to attend the meeting pursuant to Select Committee Procedure Rule 13 and Mr Heavisides retired from the meeting. The Committee was then invited to deliberate and consider its decision.

A proposal was moved and duly seconded to the effect that the decision of the Cabinet should be upheld and that, accordingly, the decision should not be referred back. At the conclusion of the Committee's deliberations, and taking account of the facts, opinions, responses and comments submitted at the meeting, the motion was put to the vote and it was

#### RESOLVED

That the decision of the Cabinet be upheld and the decision be not referred back.

(Councillor Crumpton, on behalf of some members who did not agree with the conclusions reached by the majority, as set out in the resolution above, indicated the proposed course of action of those members to submit a minority report pursuant to the scrutiny protocol for Select Committees in the Council's Constitution. To date, the minority report has not been received but, should it be, it will be appended to these minutes.)

The meeting ended at 9.05 p.m following an adjournment between 8.30pm and 8.40pm

CHAIRMAN