

SPECIAL MEETING OF BRIERLEY HILL AREA COMMITTEE

Tuesday, 6th January, 2009, at 7.00 p.m.
at the Brier School, Bromley Lane, Kingswinford

PRESENT:-

Councillor D. Blood (in the Chair)
Councillor P. Harley (Vice Chairman)
Councillors Mrs. E. Blood, Ms. Boleyn, Ms. Foster, Mrs. D. Harley, Islam, Mrs. Jordan, Miller, Southall, Tyler and Mrs. Wilson and Mr. D. Horrocks, co-opted member.

Officers

The Director of the Urban Environment (as Area Liaison Officer), Interim Director of Children's Services, Academies Project Manager (Directorate of Children's Services), Principal Solicitor and Mr. J. Jablonski (Directorate of Law and Property).

Also in attendance

Cabinet Member for Children's Services, Ms. J. Aston - Oasis Community Learning

together with forty three members of the public

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs. Greenaway, Ms. Harris and Nottingham.

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DECLARATIONS OF INTEREST

The following six members declared a personal interest in Agenda Item 3 - Consultation on proposals to close Pensnett High School and the Crestwood School in order to establish a new Academy as they were Governors of the Schools indicated:-

- (i) Councillor D. Blood - Governor of Belle Vue Primary School
- (ii) Councillor Ms. Boleyn - Governor at Maidensbridge Primary School
- (iii) Councillor P. Harley - Governor of the Brier School
- (iv) Councillor P. Miller - Chairman of Governors, Fairhaven Primary School and Governor of the Glynne Primary School.

- (v) Councillor G. Southall - Governor of Belle Vue Primary School
- (vi) Councillor Tyler - Governor of Maidensbridge Primary School.

At this juncture, reference was also made by Councillor Mrs. Wilson that she and Councillor Southall would not speak on the matter under consideration in terms of the location of the new Academy, given that they were members of the Council's Development Control Committee and there was a possibility that the new build would be the subject of a future planning application to be considered at a meeting of that Committee.

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CONSULTATION ON PROPOSALS TO CLOSE PENSNETT HIGH SCHOOL AND CRESTWOOD SCHOOL IN ORDER TO ESTABLISH A NEW ACADEMY

A report of the Interim Director of Children's Services was submitted informing the Committee of a consultation on proposals to close Pensnett High School and the Crestwood School in order to establish a new Academy. The consultation had started on 28th November, 2008 and would run until 23rd January, 2009.

The request for a special meeting had been made at the previous meeting of the Committee, held on the 4th December, 2008, so that the Committee could consider the proposal during the consultation period. A copy of the consultation document was attached as an Appendix to the report submitted.

The Interim Director of Children's Services in her presentation of the report referred to other meetings in respect of the consultation that had been arranged. Full details would be sent to members of the Committee following this meeting.

The following details were also given –

For Pensnett – there would be a meeting on 8th January between the hours of 6 and 7pm for parents, carers and residents. The letter in respect of this meeting had been sent out on 30th December, 2008.

For Crestwood – there would be a meeting on 13th January between the hours of 7 and 8pm for parents and carers. These letters would be sent out via the school and student post on 6th and 7th January.

A meeting for residents was to be held on 14th January between the hours of 6 and 7pm and the letters in respect of that meeting would be delivered on 7th January.

Oasis Community Learning - the selected sponsor for the proposed Academy - would also be arranging meetings.

This meeting was, therefore, a further part of the consultation process specifically requested by the Committee and views expressed at this meeting would form part of the detail to be considered following the close of the consultation period.

The Interim Director of Children's Services then referred to the content of the consultation document that had been circulated referring in particular to paragraph 3 - What Are Academies? and the reference to the secured sponsorship from Oasis Community Learning.

Reference was also made to the proposal for the closure of the two schools so that an Academy, initially based on two sites with everything eventually reverting to one, could open in September, 2009 for students aged 11 to 19 years old.

Reference was then made to various documents that had been circulated separately to members of the Committee one of which was a document relating to an Expression of Interest for an Academy that had been submitted to the Department for Children, Schools and Families (the department). Approval to the expression of interest had been received on 24th December, 2008 so that the Council could now move to the feasibility stage of the process.

As part of that, consultation was being held for the period indicated above so that all views expressed at this and other meetings to be held would be considered and presented to the Cabinet Member for Children's Services for decision. Although the Expression of Interest for an Academy document indicated that the preferred site for the new Academy building was the Crestwood School site, a final decision on siting had not been made.

Following the presentation and introductory comments made by the Interim Director of Children's Services, the Chairman indicated that he would take questions from the members of the public present and that the Interim Director would respond to the points raised in turn.

A number of questions and responses were then made and given in particular referring to the following issues:-

- Funding for the new Academy - in response, it was reported that as the expression of interest had now been approved, funding could be drawn down with further funding following approval of the feasibility stage of the proposal. Therefore, whilst the Local Authority would be providing background funding, to get the proposal under way, Government monies would be the main source of funding. It was indicated that all approvals should be received by late Spring so that the establishment of a new Academy on 1st September, 2009 could be achieved.

- Performance of Academies - in response, reference was made to the initial tranche of schools proposed as academies, whose results started from a very low base. It was from a low base, therefore, that academies had to develop within the community, however, given the ethos of dealing with the whole child it was considered that good results had ensued.

With respect to Oasis Community Learning, all the required processes had been complied with and Oasis had been chosen because of their commitment to local communities, their considerable experience of establishing academies across the country and the unique opportunity to be part of a global movement. They would, therefore, work with the Local Authority and the community to deliver the proposal.

Following on from the initial tranche of schools proposed as Academies, the department and Oasis had learned from that experience and from working in partnership, so that there was no reason why good quality education could not be achieved. As part of the process the Council and the department would monitor the proposal.

- Experience of Oasis - whilst it was confirmed that they had less than two years' experience in opening Academies, for the reasons indicated above and as outlined in the consultation document, there was no reason to doubt that good quality educational provision would be provided.
- Regarding the closure proposals and the position of the Pensnett School and possible regeneration - it was reiterated that both schools would close and that a new school would open. Whilst the preferred site was the Crestwood site, the Academy would not be the Crestwood or Pensnett schools but a new school altogether. The Crestwood site had been preferred for a number of reasons including its size and the possibility of bringing together primary, secondary and special needs education in one location.

A further question was then asked regarding the use of the site that was not the preferred site, it being suggested that it be retained for regeneration purposes. In response it was reported that the aim was to try to deliver good quality education through the curriculum developed and working from one site would help. Also whilst a lot of good practice and teaching had been carried out at Pensnett, it did have falling rolls and first preferences for the school next year were low. This was not something that had only happened recently, but had occurred over a period of time. Numbers under 400 made for a challenging situation for staff to deliver the curriculum against budget. The impact of parental choice was therefore another factor

that had led to a preference for the Crestwood site. New Government rules in respect of National Challenge in that where certain standards needed to be met a structural solution had to be provided would also accrue from the proposal.

- Concerns over traffic conditions - in response to concerns expressed on the likely worsening position with regard to traffic, should the new academy be on the preferred site, it was reported that following determination of the site and if it was on that site then details such as a transport assessment would be considered as part of the planning permission to be obtained and so such considerations would fall within the feasibility stage of the proposal. It was also reiterated that for the first two years of the Academy, there would be split site use. There was, therefore, sufficient time to consult and develop proposals in respect of issues such as traffic .

Mention was also made of the position in Granville Drive in that it was alleged that cars were being left on that road throughout the day. The Area Liaison Officer was asked to investigate this matter.

In response to a related question in respect of planning permission, it was also stated that issues such as ground works and environmental impact would also be considered as part of the statutory planning permission process and would be taken into account when developing the proposal.

- Allocation of year groups to sites - in response to concerns expressed as to the site a child might receive its education in the first two years of the existence of an Academy, when application was made to attend the school, it was reported that this was a matter for consideration at the next stage of the process and that the Local Authority would work with Oasis Community Learning to determine the sites for the particular year groups.
- Meetings would be arranged so that parents would know which sites related to which year groups. An indication could not as yet be given on this as the planning for it had yet to be undertaken. It was the case though that the curriculum would be delivered on the basis of one school providing a quality and standard of education as one package, although delivered on different sites and that good quality would be achieved whichever site the student attended.
- Lack of provision in Pensnett - in response to concerns expressed regarding the lack of provision in Pensnett following the possible closure of the Pensnett School, the response given was that the aim was to provide good quality education with some capacity in the borough as a whole and that additional provision such as that in Pensnett with falling rolls could not be sustained. However, reference was also made to various outreach and extended school activities, together with youth service provision on which Oasis would

be working with the Council so that such facilities would be there in Pensnett.

- In response to questions regarding the retention of facilities at Pensnett, it was reported that the playing fields were to be kept for community use and that in respect of the sports hall, the Local Authority would work with Oasis during the feasibility stage to ascertain how this could be supported.
- In response to concerns regarding financial assistance for children who lived in the Poets Corner area of Pensnett to travel to the new Academy it was reported that all the children surveyed were within the legal distance of three miles and would not therefore be eligible for financial assistance as Government rules stated that only those children living over three miles away would be eligible for assistance in meeting transport costs to attend secondary school.
- Regarding the siting issue, it was commented on that as Pensnett was recognised as an area of multiple deprivation, for example, with low car ownership, it was suggested that the site of the Pensnett School should be retained, given the likely greater financial benefit to be accrued from the sale of the Crestwood site. In response, it was indicated that there were a number of factors involved including the need to try to ensure work was undertaken with the whole school community in the area and initiatives such as the extended schools programme.
- Further concerns were expressed regarding the preferred siting of the new Academy building and the view expressed that if the aim of academies was to improve under-achieving communities, then Pensnett and not Crestwood fell into that category. On that basis, it was considered that the Academy would be better placed in Pensnett. A further concern was expressed that once established, there was a possibility that children from the immediate locality would be drawn to the Academy instead of going to other nearby schools which could mean that children from the Pensnett area who lived further away would not be able to obtain a place at the school. The comment was also made that the preference on the basis of size of the site was irrelevant and examples of good schools on similar sized sites to that at Pensnett were cited. Clarification was also sought on the reference to the consultation process referred to in the Expression of Interest document relating to community meetings in November.

In response to the latter point it was reported that the reference to consultation in November was local consultation undertaken about the site and that the current consultation related to the closure of the schools and establishment of a new Academy.

- Arising from further concerns expressed regarding the community meetings held in November and the apparent lack of notice for the forthcoming meetings to be held, it was requested that those involved should endeavour to attend meetings held and if they could not, meetings should be re-arranged to ensure attendance. The siting of the proposed Academy was also queried on the basis that the regeneration was needed in Brockmoor and Pensnett and not in the Crestwood area and comments made about alleged failings with an academy run elsewhere in the country by Oasis Community Learning which it was considered raised concerns about this latest proposal.

Regarding consultation on the current proposal details had been given earlier in the meeting and it was considered that sufficient notice of meetings to be held had been given. Also as the current consultation period only ended on 23rd January, 2009, there was sufficient opportunity for everyone who wished to comment to do so. If people could not attend a meeting, they could refer to the consultation document itself and respond accordingly. Should anyone not have received a letter, then, on request, further copies could be supplied, together with appropriate documentation.

Regarding the issue of quality, this could be addressed in a number of ways once the feasibility stage had been reached through the monitoring to be undertaken. If the required standard was not reached, then approval would not be given to the final stage of the process. Once the Academy had opened, the department had a specific unit to work with the Head and Oasis Trust regarding the operation of the Academy and the school would be subject to inspection from OFSTED. Again, it was reiterated that in partnership with Oasis, there was a presumption to ensure that good quality education was provided. Whilst comments could not be made on the position in other areas, it was the case that good quality would be achieved here.

- Further concerns were expressed about the lack of notice for meetings to be held during the consultation period and arising from this, further concerns were raised about the possible disruption to the education of children during the period when two sites were being used. The timescales involved were also queried. In response it was reiterated that good quality education would be provided whichever site and arrangements were applicable to a child. Regarding timescales involved, it was emphasised that it would be 2012/13 before the Academy would be on one site with the new Academy on two sites from September, 2009 until 2012/13. Arrangements would be made, in consultation with parents, to minimise potential disruption to them when considering arrangements for their children.

In a response to a request that parents of primary school children who could potentially be offered a place at the new Academy be also included in the consultation to be carried out, it was reported that in addition to the meetings already referred to, Oasis would also be holding meetings and the provisional dates for these were the 20th and 28th January, 2009.

- In response to a query regarding the future of the swimming pool at the Crestwood site and the views of Oasis on this, it was reported that the swimming pool facilities currently in place would remain and that the Council would be working with Oasis on this matter at the feasibility stage.
- In response to further concerns regarding allocation of places to the initial split site academy, it was reported that Oasis would work within the provisions of the Council's admissions policy for admission to secondary schools and that no decisions had yet been made as to which year groups would go to which site. Once such decisions had been made, parents would be advised accordingly.
- In response to further concerns regarding the lack of notice for consultation meetings, it was emphasised that this was a special meeting of the Brierley Hill Area Committee that had been called incidental to the other consultation meetings referred to earlier at this meeting.
- In response to concerns expressed that the possible use of two sites might affect performance at examination time, it was reported that whilst this was not considered to be the case, the position would be looked at to ensure that minimum disruption occurred.
- At the conclusion of questions asked by members of the public, members of the Committee then raised a number of points, with particular reference to the following :-
 - That the closure of Pensnett School would be the biggest single loss to that community given that Pensnett was in the top quartile of deprivation in the country. On a number of criteria, the siting of the Academy should be on the Pensnett site as this would lift that community. A plea was made that the siting of the Academy be reconsidered given that there were two distinct communities involved. If the preferred site was proceeded with, there were concerns raised about the future for the whole community in Pensnett. The current economic down-turn made the siting in Pensnett even more imperative.

- A further Councillor endorsed the previous comments made and commented on the background to the calling of this meeting. A number of concerns raised by members of the public were also echoed, for example, the possible inability of children from Pensnett to access the school in future years. The lack of notice regarding consultation meetings was also emphasised as was the good work undertaken at the Pensnett School, especially in addressing special needs and the view expressed that if the two sites were retained, standards would rise. The position regarding the Adult Learning Centre and the Sports Centre was also queried and the aspect regarding lottery funding for the sports centre raised. An undertaking was requested that this facility would be retained.

Arising from the points made, Councillor Ms. Foster moved, and it was seconded that:-

this Area Committee considers that the preferred site should be the Pensnett site and work carried out accordingly which will support that option.

A further motion was then moved by Councillor P. Harley and seconded, that:-

the Committee endorse the bringing together of the two schools to form the new Academy on the campus 21 site in order to provide high quality education for all of the children in the area.

Prior to the votes to be taken on these motions, Councillors Mrs. Wilson and Southall reiterated previous comments made earlier in the meeting that they would abstain from voting on issues in relation to the siting of the new Academy.

On being put to the vote, the motion moved by Councillor Ms. Foster was not carried on the casting vote of the Chairman.

The second motion was then voted on and was carried on the casting vote of the Chairman.

Further points were then made by members of the Committee as follows:-

- Concern that children from the Pensnett area would be excluded from future attendance at the new Academy, despite the operation of the Council's admission's policy.
- A request that a better plan be provided indicating where pupils lived who attended the Pensnett and Crestwood Schools and an indication as to where the three mile distance pertained in relation to transport to the schools.

- A request for clarification as to the meaning of the words “for the remainder of the term” relating to pages 27 and 28 under the heading 4.2 Site Ownership of the Expression of Interest document.
- A query as to why the Site Manager’s bungalow located on the Crestwood site would be transferred to the Academy Trust and a query regarding the future of the sports hall referred to.
- In relation to a query regarding the size of the site, this was confirmed as being the area on the ground and did not relate to the floor space involved.

A request was also made that a map delineating the boundaries of the proposed new Academy be circulated.

- In regard to consultation in respect of meetings to be held, and concerns expressed in relation to this, it was reported that approximately 500 letters had been sent out in respect of the Pensnett area and that more letters had been sent out in respect of the Crestwood area, given the greater density of the housing in that area.

In response to the queries that remained to be answered, it was indicated that the Member concerned would be informed of the meaning of the wording referred to and would receive the other information requested.

- In response to a question regarding the financial provision involved, it was reported that staff time had been involved in developing the proposal and other parts of the infrastructure and that further monies would be expended once the feasibility stage had been reached. It was also noted that the Government had recently changed the rules in respect of the financing for academies and it was emphasised that those current rules had been met in respect of this proposal.
- Arising from a query as to whether a visit could be arranged to an academy already opened by Oasis Community Learning, it was indicated that visits by small groups could be arranged and that those members of the Committee who would be interested in making a visit should contact the representative from Oasis Community Learning present at the meeting, Ms. J. Aston, to facilitate this.

At the conclusion of questions, the Chairman thanked the officers involved in presenting the proposal to this special meeting of the Committee.

RESOLVED

- (1) That, arising from consideration of the consultation proposals to close Pensnett High School and the Crestwood School, in order to establish a new Academy, the Committee endorse the bringing together of the two schools to form the new Academy on the campus 21 site in order to provide high quality education for all of the children in the area.
- (2) That the comments made at this meeting be included as part of the consultation process in respect of the proposal and that should any member wish to make any further comments they be asked to do so by 23rd January, 2009, the closing date for the consultation period.

The meeting ended at 9.15 p.m.

CHAIRMAN