

Special Meeting of the Select Committee for Children's Services - 9th September 2008

Report of the Lead Officer to the Committee for this meeting.

Call-in of delegated Decision DCS/28/2008

Purpose of Report

1. To respond to the call in delegated decision DCS 28/2008 which is "that the site of Cradley High School. Homer Hill Road, Halesowen be declared surplus to requirements and sold on terms and conditions to be negotiated and agreed by the Director of Law and Property.

Background

2. Cradley High School closed on the 31st August 2008 and the site controlled by Directorate of Children's Services is now 'surplus to requirements'.
3. In accordance with the Land and Property Disposal Strategy Council Directorates have been consulted and no operational use for the site has been identified.
4. The detailed Decision Sheet is attached.
5. It will be seen that from the decision sheet that numerous consultation references have been made via the Halesowen Area Committee. Two public meetings have been held specifically in relation to the Leisure Facilities. At the last one in June around thirty people attended and were critical of the process.
6. The Decision sheet specifically states "Legal advice on the indoor sport facilities in the context of planning policy confirms that this site be considered as a whole. The indoor sports facilities are part of the school and the dominant use is for education. The consultation process on the proposals to close the school covers the indoor sports facilities".
7. The issues of the sports facilities at the school have been aired at a number of formal Council meetings outside of the numerous Halesowen Area Committee references.
 - a. In the 'Report on response to consultation on proposal for Cradley High School for September 2006' there are a number of references to the sports facilities.

A key paragraph on page 16 of the Consultation Document 'Putting Children and Young People First in Dudley' states "there is significant community use of the facilities at Cradley High. The school is utilised by nine badminton groups, three football clubs, two martial art groups, a dancing group, a fitness group and a social club. Discussions will take place over the next year with these and other community groups, other Council services including Sport and Leisure, Adult Learning and Further Education Colleges. These discussions will include the possible retention of part of the existing school building for community use. Agreement will need to be reached on the management of the facilities and how they will be paid for".

This was emphasised at the Select Committee on Children's Services on the 27th September 2006 when "The Director confirmed, however, that it was proposed that the premises of Cradley High School would remain available for use by the community with changing rooms and sports facilities remaining open and arrangement for the management of the community facilities and for payment for their use were to be determined".

Select Committee on Regeneration, Culture and Adult Education 5th March 2008.

- b. At this Committee meeting under the Council Procedure Rule 11.8 a Councillor submitted a four part question on the relation between schools and wider public leisure facilities contained within them.

In essence the reply was that School Governors at those schools where dual school and wider public leisure facilities existed chose to take responsibility for the operation of the community use of the facilities. The governors take full responsibility for the operational cost of the leisure facilities with no subsidy from the Leisure Service Budget. As for leisure facilities attached to a school set to close then the position is clear the leisure facility would close as well.

Select Committee on Health and Adult Social Care 27th March 2008.

- c. At this Committee's Public Forum session, a reference was made as to whether a Health Impact Assessment had been carried out at the Cradley Leisure Centre prior to and as part of the decision making process to declare the land surplus to requirements.

Mention was made of a previous meeting of the Select Committee when it had been resolved that Cabinet be recommended that Health Impact Assessments were an integral part of future major decision that impact on health and well being.

Members of the Committee from Halesowen commented that the matter was still under consultation and there were more appropriate arenas to discuss it. In the course of the debate a Member made reference to a comparable situation of the Brierley Hill Leisure Centre and the Acting Lead Officer to the Committee pointed out that the Brierley Hill Leisure Centre was the sole responsibility of the Council where the Cradley School Leisure facilities formed part of the school.

A Member proposed that the position of leisure and culture facilities attached to schools be "made clearer". If the matter was not answered via consultation and future discussions at Halesowen Area Committee then the matter should be referred back to this Select Committee for consideration.

The Chairman resolved to write to the Chairman of Halesowen Area Committee and the Director of Children's Services with a view to highlighting the need to consider the matter as part of the consultation process. This was carried out with a detailed note to the Assistant Director of Resources in Children's Services (see Appendix 1).

This note reflected further discussion at the Health and Adult Social Care meeting on the 8th July (see Appendix 2).

8. The questions that underpin this 'call-in' and the answers will be circulated before the meeting.

Finance

9. Any costs which might be associated with responding to the issues raised in the report which cannot be met from within existing budgets will need to be assessed in due course.

Law

10. The provisions regarding call-in are contained in the Council's Constitution under the Select Committee Procedure Rules and the Scrutiny Protocol for Select Committees. The Constitution was adopted by the Council under Part II of the Local Government Act, 2000.

Equality Impact

11. In relation to the specific nature of the call-in, there are no special considerations to be made with regard to equality and diversity to receiving and noting this report.

Recommendation

12. That members note the report.



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RON SIMS
LEAD OFFICER FOR THIS SPECIAL MEETING OF THE SELECT COMMITTEE FOR CHILDREN'S SERVICES

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Background Papers (available on the council's website)

Decision Sheet DCS/28/2008

Minutes and Reports to Meetings as follows:

Halesowen Area Committee dated 26/9/06, 14/11/07, 24/1/08 and 2/7/08.

Select Committee on Children's Services dated 27/9/06

Dudley School Organisation Committee dated 7/2/07

Select Committee on Health and Adult Social Care dated 27/3/08

Select Committee on Regeneration, Culture and Adult Education dated 5/3/08

Dear Raymond

I have been directed to contact you by Chair Select Committee Health of Adult Social Care.

At Select Committee Health and Adult Social Care 8th July a query from a member of the public was raised regarding the undertaking of a Health Impact Assessment as part of the Consultation on closure of Cradley High and its connected Leisure facility.

The questioner referred to the meeting of Halesowen Area Committee held on 2nd July, 2008 and stated that no mention had been made about the need for a Health Impact Assessment to be taken into consideration, as requested by this Committee.

The Chairman informed the Committee that the Assistant Director for Resources had provided a response as to why a Health Impact Assessment had not been carried out. The following reasons were given:-

- The proposals focus on the closure of a school and not a stand alone leisure centre
- The outdoor facilities in Homer Hill Park would continue with improved changing facilities
- The usage of the indoor facilities had declined over recent years
- All users had been found or offered alternative provision elsewhere in the Borough
- Building Schools for the Future proposals would result in every secondary school having high capacity indoor facilities - This included 11 Dudley secondary schools within a three-mile radius of Cradley High School.

The Chairman informed the Committee that the Assistant Director for Resources had also confirmed that legal advice had been sought on the Cradley High School sports hall in the context of planning. The advice stated that the site would be considered as a whole and the dominant use was for educational purposes.

The Committee was also advised that whilst a decision has been taken to close Cradley High School with effect from the 31st August 2008, no formal decision had yet been taken by the Cabinet Member for Children's Services to close the Leisure Centre.

The Chairman suggested that a letter be submitted to the Cabinet Member for Children's Services asking that consideration be given to including health facilities for the community when undertaking discussions with a developer.


In light of the above, Chair HASC would recommend that when taking into account the recommendation of the Halesowen Area Committee 2nd July, consideration be also given by Cabinet Member Children's for the re-development to include the


establishment of facilities that support health and well-being of the local community.

I would be grateful if you could relay this recommendation to your Cabinet Member as part of your Directorate's decision-making process.

Yours sincerely

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Appendix 2

PUBLIC FORUM Health Impact Assessment – Cradley Leisure Centre

With regard to the query raised at the previous meeting of the Committee, a further question was received in advance of this meeting. The questioner referred to the meeting of Halesowen Area Committee held on 2nd July, 2008 and stated that no mention had been made about the need for a Health Impact Assessment to be taken into consideration, as requested by this Committee.

The Chairman informed the meeting that the Assistant Director for Resources had provided a response as to why a Health Impact Assessment had not been carried out. The following reasons were given:-

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The outdoor facilities in Homer Hill Park would continue with improved changing facilities

The usage of the indoor facilities had declined over recent years

All users had been found or offered alternative provision elsewhere in the Borough

Building Schools for the Future proposals would result in every secondary school having high capacity indoor facilities. This included 11 Dudley secondary schools within a three-mile radius of Cradley High School.

The Chairman stated that the Assistant Director for Resources had also confirmed that legal advice had been sought on the Cradley High School sports hall in the context of planning. The advice stated that the site would be considered as a whole and the dominant use was for educational purposes.

The Chairman suggested that a letter be submitted to the Cabinet Member for Children's Services asking that consideration be given to including health facilities for the community when undertaking discussions with a developer.

RESOLVED

(1) That the Lead Officer to the Committee, on behalf of the Committee, be requested to write to the Cabinet Member for Children's Services asking that consideration be given to including facilities that support health and well-being for the community when undertaken discussions with a developer.

(2) That the Lead Officer to the Committee be requested to provide a written response as detailed above to the questioner.