

BRIGHTON & HOVE CITY COUNCIL

CHILDREN, FAMILIES AND SCHOOLS SUB-COMMITTEE

5.00PM – 9 FEBRUARY 2004

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Hawkes (Chair); Councillors Mrs Brown (OS), Carden, Fitch, Giebeler, Hyde, John, Mallender, Meegan and K Norman.

PART ONE

ACTION

66. PROCEDURAL BUSINESS

66A. Declarations of Substitutes

66.1	<u>Substitute Councillor</u>	<u>For Councillor</u>
	Carden	Edmond-Smith
	Fitch	McCaffery
	Meegan	Burgess
	K Norman	Young

66B. Declarations of Interest

66.2 There were none.

66C. Exclusion of Press and Public

66.3 The Sub-Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

66.4 **RESOLVED** - That the press and public be excluded from the meeting during consideration of item 70.

67. MINUTES

67.1 **RESOLVED** - That the minutes of the meeting held on 26

January 2004 be approved and signed by the Chair.

68. STATUTORY PROPOSAL TO DISCONTINUE EAST BRIGHTON COLLEGE OF MEDIA ARTS

68.1 The Chair stated that, if the Sub-Committee decided to refer the closure proposal to the School Organisation Committee, she would arrange for another councillor to attend that Committee in her place. Although it was not a legal necessity for her to do this, in view of her involvement processing the closure proposals as the Chair of the Sub-Committee, she felt it would not be appropriate for her to act as the Chair of the School Organisation Committee.

68.2 The Sub-Committee considered a report of the Director of Children, Families and Schools concerning the response to the statutory notices on the proposal to discontinue East Brighton College of Media Arts. The statutory notices were published on 5 December 2003 (see minute book).

68.3 The Sub-Committee were provided with the Authority's observations on the representations and approval was sought to continue the closure process.

68.4 The Sub-Committee considered whether the Call-in process should apply (paragraph 2.5 item 68 on agenda). The Council's legal representative suggested that the Call-in process should not be applied in this instance given the time constraints imposed by the statutory procedures which needed to be observed. The Sub-Committee voted on this issue and five members were in favour of the Call-in process not being applied and five members of the Sub-Committee were against the Call-in process not being applied. As there were equal number of votes for and against the recommendation the Chair had the casting vote. The Chair voted in favour of the Call-in process not being applied

68.5 **RESOLVED** – (1) That the objections and comments submitted in response to the statutory notice proposing to discontinue (close) East Brighton College of Media Arts from 31 August 2005 and the draft observations on them be noted.

(2) That the continuation of the closure process and the approach being taken in relation to the draft observations be approved.

(3) That the Director of Children, Families and Schools be authorised to send to the School Organisation Committee for the area, all the objections and comments made to the Council during the period specified in the public notice, together with the Council's observations on them.

David Hawker

(4) That the Director Children, Families and Schools be delegated all necessary powers to progress the proposed closure through the School Organisation Committee and, if that Committee cannot reach a decision, through the adjudication process.

David Hawker

(5) That it be confirmed that the call-in process shall not apply as, in the Sub-Committee's opinion, its decisions in this matter are urgent, because delay would seriously prejudice the Council's interests and results in failure to comply with statutory time limits for the submission of the objections and comments to the School Organisation Committee.

69. ITEMS TO GO FORWARD TO COUNCIL

69.1 **RESOLVED** - That no items be referred to council

SUMMARY OF EXEMPT ITEMS

70. EAST BRIGHTON COLLEGE OF MEDIA ARTS PROPOSED CLOSURE – FINANCIAL IMPLICATIONS – EXEMPT CATEGORIES 7 AND 9

70.1 **RESOLVED** – That the Sub-Committee notes the current financial position in reaching its decision on the continuation of the closure process.