

BRIGHTON & HOVE CITY COUNCIL
CHILDREN, FAMILIES AND SCHOOLS COMMITTEE

5.00PM - 2 FEBRUARY 2007

HOVE TOWN HALL

MINUTES

Present: Councillor Hawkes (Chair); Councillors Mrs Brown (OS), Bennett, Hamilton, Hazelgrove, Hyde, Kemble, Mallender, Mitchell and Norman.

Also present: Councillors Allen, Edmond-Smith, Meegan, Meadows, Pennington, Pidgeon and Randall.

PART ONE

ACTION

35. PROCEDURAL BUSINESS

35.1 Prior to the consideration of the procedural items, the Chair called on the Clerk to the committee to inform Members of an additional procedural matter.

35.2 The Clerk informed the Committee that in accordance with the Council's Standing Orders, 14.9 and Regulation 13 of the Local Authorities (Committees and Political Groups) Regulations 1990 the Leader of the Council had notified the Chief Executive of a change to the Labour Group's membership of the Committee. The change was with immediate effect and resulted in Councillor Mitchell replacing Councillor McCaffery.

35.3 Having received such notification the Chief Executive was obliged to implement the change and therefore Councillor Mitchell was a full Member of the Committee having replaced Councillor McCaffery.

35.4 The Chair thanked the Clerk and welcomed Councillor Mitchell onto the Committee.

35A. Declarations of Substitutes

35.5 Councillor Hamilton declared that he was attending the meeting as a Substitute for Councillor John.

35B. Declarations of Interest

35.6 There were no declarations of interest.

35C. Exclusion of Press and Public

35.7 The 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.

35.8 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any of the items on the agenda.

36. MINUTES

36.1 **RESOLVED** – That the minutes of the meetings held on the 6 and 20 November 2006 and 4 January 2007 be approved and signed by the Chair.

37. CALLOVER

37.1 **RESOLVED** - That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

38. CHAIR'S COMMUNICATIONS

38.1 The Chair welcomed everyone to the meeting and noted that the matter before the committee was an emotive issue. She therefore asked everyone concerned to respect the process of debate and to maintain their behaviour accordingly. She intended to allow all views to be heard but would not tolerate disorderly conduct and would seek to have such people removed from the chamber.

39. PUBLIC QUESTIONS

39.1 The Chair noted that a total of 18 public questions had been received and that the procedural rules allowed for fifteen minutes for public questions. In having regard to the importance of the issue, and the fact that each questioner had the right to ask a supplementary question, the Chair stated that she intended to allow questions and supplementaries to be asked until the fifteen minute period had been reached. She would then invite those questioners who had yet to put their question to do so but would not allow any supplementary questions.

39.2

The Chair then invited Mr. Mark Woodhouse to put his question.

39.3 Mr. Mark Woodhouse asked the following question:

“In view of the DfES code for 2008 admissions - Equal Preference System will be mandatory but catchment and ballot systems (although allowed) will not. Are Councillors aware that if the working party proposals are not accepted and we end up with EPS and existing distance criteria, the situation for parents that live far from any schools will be much worse than it is currently?”

39.4 The Chair thanked Mr. Woodhouse for his question and gave the following reply:

“CFS Committee is aware of the implications of having a system of Equal Preference with Distance Measurement as oversubscription criteria. Under such a system, the popular schools would be filled by those living closest to them, and less popular schools which attracted a large number of second and third preferences would also fill up from those living closest to them, rather than taking first preferences first from elsewhere in the city, as they do at the moment. This would mean that those living further away would be less likely to gain access to a school of their choice than at present.”

39.5 Mr. Woodhouse asked the following supplementary question:

“The purpose of this review is to create a fairer system for all parents and children across Brighton & Hove, one that cannot be manipulated by individual’s wealth or location as it is currently. It has been reported that the Members of this Committee say they will vote on this issue for the good of the city as a whole and that they will not be swayed by their own re-election chances in May or by any constituent whose only concern might be to obtain a place at the expense of others. Are the Members of the Committee able to categorically restate that commitment?”

39.6 The Chair thanked Mr. Woodhouse for his question and stated that:

“On behalf of the Committee I will say yes and hope that the Committee support me but I can say no more than that than in my full answer.”

39.7 Mr. Anthony Craggs asked the following question:

“Parents in the most educationally deprived areas of Brighton (e.g. Moulsecoomb and Bevendean) currently have the opportunity to send their children to the City’s highest attaining schools such as

Varndean and Dorothy Stringer, and several successfully do this. Can you confirm that the new proposals, which pair these highest performing schools in one catchment area, mean that such parents will no longer have this opportunity?"

39.8 The Chair thanked Mr. Craggs for his question and gave the following reply:

"Any system of secondary admissions must be based on parental rights to express three preferences. Under the proposed system the right to express three preferences remains. The realisation of these preferences is dependant on numbers applying for places at any one school, and the likelihood is that more popular schools will be filled by applications from within their identified catchment areas."

39.9 Mr. Craggs asked the following supplementary question:

"Please can you confirm that a number of important areas in the city between Bevendean, Coombe Road, Patcham and Portslade were either not represented on the various working groups until very late in the process or were never represented?"

39.10 The Chair thanked Mr. Craggs for his question and stated that:

"I can state that there was a Councillor from each of those areas asked to find a parent or a Governor and some managed to, some did not, so I can only say that there might have been areas not represented but that was not the fault of the Committee. The Committee wanted the areas fully represented and as you have implied in your question some people came in later and tried to catch up."

39.11 Ms. Amanda Booth asked the following question:

"I live in Withdean, my children currently walk to their local primary school and would be able to walk to their secondary school had they been allocated Stringer/Varndean. Under the new proposals this will no longer be an option for the majority of Westdene/Withdean and Prestonville residents. Can you confirm what the overall impact the new proposals would have on the city in terms of additional car/bus journeys versus walking to school?"

39.12 The Chair thanked Ms. Booth for her question and gave the following reply:

"The creation of catchment areas is expected to reduce over time the number of long journeys at present criss-crossing the city. It will be easier for the bus company to plan some of its routes on the basis of catchment areas. When each school has a more settled

geographical intake, the overall effect should be to maximise the bus links and reduce the number of car journeys, as well as continue to allow many children to walk to school. Given the geography of the city's secondary schools it is not possible to produce a system by which everyone can walk to a secondary school. Where this happens under the present system it is often at the expense of others who have to travel longer journeys, often past their nearest schools."

39.13 Ms. Booth asked the following supplementary question:

"Can Councillor Hawkes explain why the Vice-Chair, Councillor McCaffery, was removed from the Committee this afternoon?"

39.14 The Chair thanked Ms. Booth for her question and stated that:

"No, I cannot. The information provided to the Committee was a result of a decision taken by the Leader and I do not think that it is actually pertinent as a supplementary to your first question."

39.15 Mr. Mark Bannister asked the following question:

"Does the council think the new proposed system of admissions is clear and easy for parents to understand, as required by the Admissions Code?"

39.16 The Chair thanked Mr. Bannister for his question and gave the following reply:

"The council believes the new proposed system of admissions is clear and easy to understand for parents, as required by the new Admissions Code. It is simple to understand in that applicants know their postcode which will determine their nearest local school or schools. The use of the ballot, as supported by the code, is an alternative oversubscription criterion to distance measurement.

Equal Preference may well be more difficult to understand but as First Preference First is now unlawful, Equal Preference remains the sole vehicle through which parents can express their three preferences.

The council's addition to this preference model by adding the opportunity to switch preferences such that first preferences take precedence over second, has been agreed by the DfES and is seen as a positive measure in aiding parental applications."

39.17 Mr. Bannister asked the following supplementary question:

"In his report the Director of Children's Services claims that the consultation was the most extensive ever conducted in the country.

Given that this wide ranging review has only 189 responses not one of which supported the idea of a ballot, how could he claim there is any support for such a preference system?"

39.18 The Chair thanked Mr. Bannister for his question and stated that:

"I will repeat the beginning of your question which was: it is to our knowledge the most representative and detailed consultation in the country, others may catch up with us but at this point it really is.

The second part, and reference to 189 responses. In fact I have even had a response I was requested to put in to the Committee this afternoon which has come from a school, so I think there have been many, many more and that is still a large number. If I count the number of emails that people like myself and other Members of the Committee have received, I would think it is probably 1,000 to 1,500. All those have gone through to the officers so, in fact, the figure is not really accurate I do have to say, it is much more."

39.19 Mr. Robert Eastwood asked the following question:

"Can you state what is the maximum number of out-of-catchment siblings able to apply for the Dorothy Stinger/Varndean catchment area in the intake years 2008 to 2012 and what method has been used to determine these figures?"

39.20 The Chair thanked Mr. Eastwood for his question and gave the following reply:

"Our data shows that, in the 2008 cohort, 67 children from outside the catchment area would be able to claim places at Dorothy Stringer or Varndean school on the basis of older siblings who are currently at the school and who will still be there in September 2008. The equivalent figures for 2009 and 2010 are 40 and 24 respectively. These figures do not take into account any children who will be starting in Year 7 in September this year, because allocations for this year have not yet been confirmed.

There will also be sibling links between children living in the proposed Dorothy Stringer/Varndean catchment area and schools outside the area. In the 2008 cohort there will be 57 such links; in 2009 there will be 28 and in 2010 there will be 19. Again, these figures do not take account of the 2007 allocations.

The data was drawn from the schools pupil database. The numbers for 2008 were calculated by matching current Year 7, 8 and 9 pupils with current Year 5 pupils. For 2009, the current Year 7 and 8 pupils were matched with current Year 4 pupils, and for 2010 the current

Year 7 pupils were matched with current Year 3 pupils.

No figures exist for 2011 or 2012, because the pupils needed to establish sibling links in those years are not yet at secondary school.

39.21 Mr. Eastwood asked the following supplementary question:

"I think the dates you have alluded to will also allow the council to estimate another important course of over-subscription in the Dorothy Stringer/Varndean catchment. I would like to ask you how much extra over-subscription the council thinks is likely to arise by migration into what is a very large and diverse catchment area?"

39.22 The Chair thanked Mr. Eastwood for his question and stated:

"That is referred to in the papers."

39.23 Mr. Keith Turvey asked the following question:

"In light of the obvious under-capacity in secondary school places across the city, exacerbated by the closure of a school in 2004, what are the council proposing to do in the longer term to address this issue and alleviate the current levels of uncertainty and anxiety that are experienced by many children and families, by the use of a ballot to determine who gets access to a dwindling number of places?"

39.24 The Chair thanked Mr. Turvey for his question and gave the following reply:

"Brighton and Hove must provide secondary school places for all eligible children within the city. In proposing a fixed catchment system the council is conscious that the catchment areas need to 'catch'. Although this can never be guaranteed the Working Group has recommended that, in the event of the proposals being accepted, officers would negotiate with secondary schools to ensure that places within each catchment reflect the likely number of applicants within that area.

We are also conscious of potential increases in the city's secondary (and primary) populations through new development. Officers have been asked to plan for this expected rise through a new schools organisation plan. There will also be major changes in 14-19 provision in the future, which are likely to lead to increased flexibility in the use of school accommodation."

39.25 Mr. Turvey asked the following supplementary question:

"In the light of the multi-billion pound Government initiative 'building

schools for the future' which is designed to regenerate and where necessary expand secondary school provision, why have Brighton and Hove only managed to secure a place in the final phase of this 15 year project? Out of 290 local authorities Brighton and Hove have been one of the very last to benefit.

Can someone from the Council or the local authority please offer an explanation why expansion and regeneration of secondary school provision is such a low priority when they stated their own vision for the future was schools at the heart of local communities. Are they priorities?"

39.26 The Chair thanked Mr. Turvey for his question and stated that:

"I will answer the first part of your question quite clearly. Unfortunately, we had spent a great deal of money on the vast majority of our secondary schools and therefore we were very low down on the priority list the Government judged us by and the Director knows this full well. It broke our hearts that we were not regarded as a priority but then when you think about the schools that were the priorities in other local authorities, you can understand why we were judged against other people's need."

39.27 Mr. Neale Type asked the following question:

"What were the aims and intentions of the consultation that continued throughout the review with parents on the Parent Stakeholder Group?"

39.28 The Chair thanked Mr. Type for his question and gave the following reply:

"The project specification records the roles and responsibilities of the members of the Parent Stakeholder Group. These are:

- Consider the findings of the Working Group
- Elect two representatives to the Working Group
- Give regular feedback to parents within their own ward
- Attend open consultation meetings at local schools

Following agreement with the Working Group the Parent Stakeholder Group elected four representatives to the Working Group to allow it to better reflect the range of views across the city."

39.29 Dr. Type asked the following question:

"If a Falmer single catchment that ends at Bear Road is put in place, how can this catchment be seen to create a comprehensive intake?"

39.30 The Chair thanked Dr. Type for her question and gave the following reply:

"As stated in the committee paper the Working Group and the Parent Stakeholder Group were concerned about the impact of deprivation surrounding Falmer School. They were also conscious of the proposed academy Sponsor's statement and his desire for the new academy to serve the three estates of Moulsecoomb, Bevendean and Coldean.

It is worth pointing out that children of all abilities can be found in any neighbourhood, and it is wrong to assume that, just because a school serves a more deprived area than another, the children cannot progress just as well. This has recently been borne out by the fact that Falmer School achieved the second highest contextual value added scores in the city in 2006."

39.31 Ms. Maria Cox asked the following question:

"Why were the options of either Patcham/Varndean and Dorothy Stringer/Falmer, or Patcham/Dorothy Stringer and Varndean/Falmer catchments rejected?"

39.32 The Chair thanked Ms. Cox for her question and gave the following reply:

"To accommodate the numbers within these areas either one or both of the catchment areas would become dramatically elongated and complex. This would run counter to the principle of having local schools for local children and would increase the prospect of longer multiple journeys to secondary schools for a large number of children in these two catchment areas. The Working Group therefore took the view that Varndean and Dorothy Stringer, on the basis of their geography, should remain as the proposed dual catchment area."

39.33 Ms. Lyndsey Bond asked the following question:

"I appreciate as it has often been claimed no system will satisfy everyone. As a Coombe Road parent & Bevendean resident the new proposals will mean Coombe Road, Bevendean & Moulsecoomb will be treated more unfavourably under the new proposals. Bevendean & Moulsecoomb will be at more of a disadvantage due to the distance proposals.

Surely all children should be considered as equal.

What is the basis for a judgement that people will be more satisfied with the new system than the old?"

39.34 The Chair thanked Ms. Bond for her question and gave the following reply:

"The Working Group believes that the proposals will be seen by many as fairer for the city as a whole. It is important to emphasise that all schools within Brighton and Hove provide a good education. I do not accept that children in the Falmer catchment area will be disadvantaged in any way. As I said in a previous answer this school has the second best contextual value added score in the city."

39.35 Mr. Hutchings asked the following question:

"The Parent Stakeholders' Group and the Working Party have worked hard with the council to consult with all areas of the city. During this lengthy consultation period, 88% of parents in B & H recognised that the present system is unfair for some areas of the city. Does the CFS committee agree with parents that the present inequities can not continue and that the Working Group have come up with the fairest, most equitable system for all children in Brighton and Hove?"

39.36 The Chair thanked Mr. Hutchings for his question and gave the following reply:

"The committee agreed with many parents that the present inequities should not continue and asked the working group to produce proposals for a more equitable system. The working group has now made proposals that they believe are fairer for the city as a whole than the present process, and this is what we are here to debate."

39.37 Ms. Samantha Stille asked the following question:

"What with all the extra meetings and numerous amendments and options, these proposals now appear to be a mish-mash of suggestions and improvisations, desperately cobbled together, with no real coherency - would it not be more courageous for the CFS Committee to throw them out and ask for a further year's review, with proper consultation following correct procedure and being inclusive of all the city, rather than just passing this new system which will be detrimental to, and have an adverse effect on, education for all children throughout the whole city?"

39.38 The Chair thanked Ms. Stille for her question and gave the following reply:

"The Working Group undertook a thorough and exhaustive examination of the options available for determining a secondary admissions process for the city. They have said they accept that no system will be wholly acceptable to everyone within the city, but their review supports the need, now, for a change to the present process."

39.39 Mr. Alan Larkins asked the following question:

"Since July 2005 the process has involved;

2 Working Parties, 3 CFS Meetings, a Research Report, a Parent Stakeholder Group, 12 Public Meetings attended by 350 people, 3 Focus Groups, a 6 week statutory consultation culminating in a meeting of 130 Governors and Head Teachers, a DfES Admissions Code of Practice, scores of published letters, thousands of emails and 4 articles in the Argus.

Can the CFS now agree that this constitutes one of the most comprehensive consultations in the city's history and that a decision must now be taken in the interests of children across the whole city?"

39.40 The Chair thanked Mr. Larkins for his question and gave the following reply:

"I agree that the review constitutes one of the most comprehensive consultations in the city's history and that a decision must now be taken in the interests of children across the whole city."

39.41 Mrs. Jane Kistnasamy asked the following question:

"How have the Working Group revised the proposals to take account of the concerns raised by the governors in the consultation with them?"

39.42 The Chair thanked Mrs. Kistnasamy for her question and gave the following reply:

"The statutory consultation concluded on 12th January 2007. The Working Group re-convened on 15th January 2007, to consider the consultation responses, and to formulate its final recommendations to the CFS Committee. The paper presented today details the changes that were considered in response to the consultation."

39.43 Mr. Dominic Franklin asked the following question:

"Why are two of the most deprived and educationally underachieving parts of Brighton (Moulsecoomb and Bevendean)

being placed in a catchment for the two worst performing schools (Falmer and Patcham), thereby reinforcing their disadvantage, while better off areas are allocated to catchments for the best schools (e.g. Dorothy Stringer, Blatchington Mill, etc)?"

39.44 The Chair thanked Mr. Franklin for his question and gave the following reply:

"Catchments were drawn to reflect localities wherever possible. It would be strange if Falmer and Patcham didn't serve their local populations. I would again stress that all schools within Brighton and Hove provide a good education."

39.45 Mrs. Eleanor Taylor asked the following question:

"Please could you explain how the WG have managed to reach the conclusions they have about increases in journeys resulting from certain suggestions such as FSM banding, when absolutely no modelling has taken place at all, on the effect of any of these proposals on journey lengths/times and any increased use of transport."

39.46 The Chair thanked Mrs. Taylor for her question and gave the following reply:

"The Working Group looked at an FSM banding model and concluded that it would require a continuation of distance measurement. However, the distance measurement method which is currently used allows some children to walk to their local school, but forces others to travel long distances, often passing their local school or schools on the way."

39.47 Ms. Tracey-Ann Ross asked the following question:

"Under these new proposals children in Prestonville, Westdene and Patcham will travel, up to 3.8 miles to school by public roads. Yet in the new Admissions Code it states:

Admission authorities should take account of the time it will take to travel to school, and the availability of public transport in establishing their over subscription criteria.

What account has been taken and assessment made of the impact of these changes on the children in these areas?"

39.48 The Chair thanked Ms. Ross for her question and gave the following reply:

"The proposed catchment areas offer good transport links within each area. The council will be discussing with Brighton and Hove Buses changes in transport patterns within the city arising from the review, and this will be linked to the regular review of council-supported routes. Through these reviews the council expects to secure suitable transport links to meet the needs of any changes in the pattern of secondary admissions."

39.49 Ms Carrie Burton asked the following question:

"How will the combination of a catchment area, equal preference and lottery work in the Varndean/Dorothy Stringer catchment area which will be over-subscribed by at least 66 or possible 110 children?"

39.50 The Chair thanked Ms. Burton for her question and gave the following reply:

"The new Admissions Code states, in paragraph 2.28, and I quote: "Random allocation of school places can be good practice particularly for urban areas and secondary schools. It may be used as the sole means of allocating places or alongside other oversubscription criteria. Random allocation can widen access to schools for those unable to buy houses near to a favoured school and create greater social equity.

Within the Dorothy Stringer/Varndean catchment area the issue of potential oversubscription is addressed by the Working Group's recommendation to make extra places available as necessary."

40. PETITION – SECONDARY ADMISSIONS REVIEW

40.1 The Committee received a petition, signed by 800 people, presented at Council on 7 December 2006 by Councillor Simon Burgess.

"The Children Families and Schools Committee have NOT yet accepted all the detail of the set of proposals recommended by the Working Party that they set up. Some aspects of the proposals are being revisited. As the recommendations are very finely tuned, and change to the detail could destroy the whole recommendation because of its knock on effects across the rest of the package. Because of this there is a real danger that a change to a fairer system will therefore be rejected, and the current "distance only" system will remain in place.

If you live in central Hove, Westbourne, Wish, Goldsmid, Brunswick, and Adelaide, Regency, Hanover, Queens Park and other parts of East Brighton your child is unlikely to be able to go to your local secondary system unless the system is changed.

The Working Party proposals will improve social mix and comprehensiveness of intakes across all catchments and schools.

The proposals also offer less popular schools a chance to flourish and will deliver much greater fairness and equality for the city as a whole.

We the undersigned call on the Council to accept the Working Party recommended package of proposals and in so doing deliver a fairer and more inclusive admissions system for 2008 entry that will give more city communities access to their nearest secondary schools.

40.2 **RESOLVED** – That the petition be noted.

41. DEPUTATION – SECONDARY ADMISSIONS REVIEW

41.1 The Committee received a deputation presented at Council on 7 December 2006.

41.2 Miss Matilda Strachan (Spokesperson)

“We live in the centre of Brighton, in the middle of the red areas on the maps. My friends are moving away from my area and I cannot understand why. Last year leavers from my school did not go to secondary school with their friends, in fact they were given seven different schools. At my school none of them without a brother or sister got into the nearest secondary school. They travel for ages every day all over the place.

My primary school is not as popular as it was because it is not near the secondary schools, which is a shame because it is a good school and people do not know that. I wish I was rich then I could choose my secondary school. I could move near it but then I would leave my friends and neighbours behind. I like living in the city centre and by the seafront and I want to stay there.

Sometimes I get frightened and worried about all this. I have heard that some children do not go to the school they are allocated because they are so upset. This is not fair and I think it is wrong.

I was told the Council will sort this out for the whole city but it is taking a very long time. It is the Council's job isn't it? I was told the Council asked a Working Group of people to offer a better system and that they have already done that. This time the whole city had a chance to get involved in lots of different ways so that is the best that can be done isn't it?

We are always taught that we must be fair and to share things. That is good for everyone in the end. I do not think some people are sharing properly – do you? Can you please stop all this unfairness and

fighting it is horrible.”

41.3 **Response from Councillor Hawkes:**

“Matilda, I am not surprised, I am impressed though. I think that was a really excellent presentation and I thank you and the rest of your delegation. It is good that you have been here and you have heard the earlier part of the evening because you have obviously been listening to the answers that I have given to the questions and, because you came not knowing that they would be taking place, I hope I do not have to go right through it all again.

The very reason, coming to one or two of your points, that the process has been taking a long time has been to try and get it right and I do hope that by the end of January there will be a decision that is understood by not only parents but I think most of all children and young people and that is the name that we have for our new Committee, the Trust, because it was not good enough to call you just children and the young people said, ‘no, we don’t like that, we want it to be children and young people’. You as a very mature young person come along here and I do congratulate you on that but we do want to actually talk to all of you. You are now part of this consultation which will then come to the Committee at the closing stage and I know all the Members here who are on the Committee will be impressed particularly by your presence and what you have said about the not being fair and some of my answers have been.

Well, it will not be fair to everybody but we want to make the fairness a little more equal and to have the understanding which has come through in your comment that you will know very roughly which secondary schools you and your friends at school are likely to go to. As you have actually said it may not be the entire class all go to the one secondary school if, for example, you lived in Hove and I am not sure where you live, but it does not matter where you live if in the part of Brighton the catchment area that you would be in, you would have some idea that you would be able to support one another.

The other thing I want to say and I think I should have said it really at the earlier stage to the parents who were asking questions, is that I firmly believe, and I think you would believe, that if a young person wants to go to a school they will succeed at that school. Every one of our secondary schools you will succeed at – if you have read today’s Argus there are exam results going up, I see Stage 2 results are going up, you know, phenomenally in some parts of the city. You know that you are likely to succeed if you go into a secondary school with enthusiasm and we want you to know roughly where you might be going, this one or that one but not this, this and this, so that then you make up your mind you are going to do well in that school.

I think I want to follow your progress when you go to secondary school because I am sure it will be successful."

41.4 **RESOLVED** – That the Deputation be noted.

42. SECONDARY ADMISSIONS REVIEW

42.1 Prior to consideration of the report, the Chair noted that several Members had asked to address the Committee on the matter, and she had agreed to them being able to do so. She therefore felt that they should address the Committee at this point, so that where possible any aspects raised could be addressed by the Assistant Director in his presentation of the report.

42.2 The Chair then invited Councillor Meadows to address the Committee.

42.3 Councillor Meadows thanked the Chair and stated that she had a petition signed by 3,500 parents who felt that they had not had the opportunity to feed into the consultation process at an early stage. They had not been consulted by their schools or otherwise and with only 7 weeks left had put forward alternative options, which, if the committee were minded to approve Option 3 under recommendation 2.2 of the report, could then be taken into account. The need for local schools for local children was recognised but the current proposals failed to deliver that and took no account of the implications of a single catchment for Patcham.

42.4 Councillor Meadows stated that the extended schools format meant that under the new proposals, children would have to travel further and would leave home earlier and school later, which would be of concern to parents. She believed the introduction of a lottery system would be demoralising for the children and create further anxiety for parents. The new system failed to create greater equality, it was already acknowledged that the current system had a satisfaction rate of 93%, and she did not believe the new system would match even that level. She therefore could not support the recommendations.

42.5 Councillor Pennington thanked the Chair for the opportunity to address the committee and stated that he wished to recognise the work of those on the Working Group and Parent Stakeholder Group. He believed that a great deal of hard work had been undertaken and that there had been a significant level of compromise which should not be underestimated. He believed that the proposals would benefit those residents in his own ward and the city as a whole and therefore would support the recommendations.

- 42.6 Councillor Allen thanked the Chair and stated that as a councillor representing Prestonville residents the recommendation to use the railway line rather than Dyke Road as the border of the catchment area made no sense to that community. It would result in a number of children having to go to Blatchington Mill or Hove Park Schools, when the natural connection was to Dorothy Stringer or Varndean, especially for those at Stanford Junior. It would result in longer journeys to school and the splitting of a local community, which went against the aims of the government's new code of admissions policy.
- 42.7 Councillor Allen stated that the whole of Preston Park Ward was affected by the proposals and the inevitable over-subscription to schools would result in children having to travel outside of the area to school even though there were schools within walking distance. He believed the net result would be fewer children walking to school and questioned whether the transport implications for the city had been taken into account.
- 42.8 Councillor Allen stated that he believed the members of the Working Group had different views and could not agree on the way forward. He therefore suggested that the whole process should be delayed for further consultation and consideration of concerns raised by parents.
- 42.9 Councillor Meegan thanked the Chair and stated that he felt there was a need to consider why the report had been brought to the meeting. There had been recognition that the current admissions system was no longer viable and needed to be reviewed. The Working Group had undertaken this role and a thorough consultation exercise had been completed, with representations being received from all parties. He wished to applaud the Working Group for their work and believed that the proposals would provide for a fair and transparent system and urged the committee to take the decision and support the recommendations.
- 42.10 Councillor Pidgeon stated that he wished to make representations against the dual catchment area for Patcham and Falmer. If the dual catchment area was approved it would result in children having to take two bus journeys across the ward to get to school as there was direct bus route to Falmer. There was a need to take account of the concerns of parents in Patcham, with regard to the travel and the fact that they should have a local school for their children. He did not feel that a lottery system was appropriate and suggested that it should not be adopted. He therefore asked the committee to consider the position and if it was minded to approve the recommendations, then to approve option 2 in recommendation 2.2 of the report.
- 42.11 Councillor Randall thanked the Chair for enabling him to address the

committee. He stated that he fully supported the proposals put forward by the Working Group as they provided a greater degree of fairness across the city as a whole for all children. He believed that given the size and locations of the schools within the city, the proposals provided a better solution to what was a recognised problem with the current system. Ideally there would be local schools serving their local communities but the reality was that a privileged group were able to get their preferred school. He therefore hoped that the committee would accept the amendment to recommendation 2.9 that his colleague Councillor Mallender would be proposing and that option 2 in recommendation 2.2 would be accepted.

- 42.12 Councillor Edmond-Smith thanked the Chair and noted that both the committee and the council had recognised that the current admissions system was unfair and therefore she urged the committee to approve the recommendations. With regard to the three options listed in recommendation 2.2 she believed that option 3 had not been part of the Working Group's remit. She acknowledged that the question of transportation was an important one and would need to be monitored carefully. However, she suggested that current journeys to Dorothy Stringer and Varndean already cut across the city and were greater than those that would result from the new system of catchment areas. She hoped that the committee would recognise the need to take a decision today and approve the recommendations.
- 42.13 The Chair thanked the Members for their contributions and stated that the committee would take these into account during its debate of the matter before them.
- 42.14 The Committee considered a report of the Director of Children's Services, concerning the outcome of the recent consultation process and proposals for a new Secondary Admissions Policy for determining the allocation of places at Secondary Schools in September 2008 and beyond (for copy see minute book).
- 42.15 The Assistant Director, Schools introduced the report and outlined the work of the Working Group over the last year and the proposals that it had put forward for a revised admissions policy for Brighton and Hove as detailed in the report. He stated that the Working Group had considered a number of factors and had sought to address the concerns which related to the current system, whilst recognising that no one system was likely to satisfy everyone concerned. The Working Group had concluded that fixed boundaries as outlined in the report should be adopted and sought the committee's views on the three options listed under recommendation 2.2. He noted that the committee had accepted the proposals in principle at its meeting in

November, subject to further consultations and a report to the Working Group in January. The Working Group had taken into consideration points raised by Members at the last committee meeting and in respect of the boundary for Prestonville (BN1 5 area), had concluded that no change should be made to that proposed. The Assistant Director stated that having concluded their review and taken on board the results of the various consultation exercises, the Working Group had identified the need to alter the admissions policy and had therefore put forward the proposals in the report for the committee to consider with a recommendation that they be accepted.

- 42.16 The Chair thanked the Assistant Director and wished to place on record the committee's thanks and appreciation of the commitment and work undertaken by the Working Group, the Parent Stakeholder Group and officers in reviewing the admissions criteria and bringing forward the proposals.
- 42.17 The Chair stated that she had been informed of three amendments and that she also had an amendment to the recommendations that she wished to put forward. She stated that she would therefore take each amendment in order and following debate would put the amendment to the committee. Should the amendment be accepted, it would then become part of the substantive recommendations and subsequent amendments would need to be taken in relation to the changes. Once all the amendments had been considered, there would be a need to debate the options listed in respect of recommendation 2.2 and then she would put each recommendation, taking into account any amendments, to the committee for approval.
- 42.18 Councillor Bennett stated that she had intended to put forward an amendment which was to be seconded by Councillor McCaffery. However, in view of the change in membership and the fact that the amendment to be put forward by the Conservative Group was very similar, she would not propose an amendment.
- 42.19 Councillor Mrs. Brown stated that she had mixed feelings; she had hoped to be in a position to give her support to a new admissions policy based on openness, transparency and fairness. However, she felt that the proposals before the committee did not meet this criteria and she could not support them. The Working Group and the Assistant Director had worked tirelessly to endeavour to provide a new policy, but more time was required in order to get the right system for the city. She noted that the current satisfaction rate for admissions was high and believed that this would not be the case if the new system was introduced. She also felt that the problems identified had not been addressed but has simply been moved across to other areas of the city. The introduction of a ballot system

would result in uncertainty and it was likely that over-subscription would result in more children having to travel further across the city to get to school. She therefore wished to move the following amendment, which would result in the deletion of recommendations 2.1 to 2.9 and the replacement with recommendations 2.1 to 2.5:

“The committee recognises that the equal preference system must be implemented for the September 2008 secondary admissions in accordance with government guidelines.

This committee also recognises the considerable amount of work undertaken and documented during the current review by all stakeholders.

In the light of the numerous concerns raised by members of the Parent Stakeholder Group, the Secondary Admissions Review Group and Parents, and the need to clarify the statistical information that has so far been provided, this committee resolves to:

- 2.1 Introduce the equal preference system for the 2008 secondary admissions;
- 2.2 Retain the existing distance criterion to determine the allocation of places for 2008 where there is oversubscription;
- 2.3 Retain the sibling link for 2008;
- 2.4 Review the impact of the equal preference system with the distance criterion in the Summer of 2008; and
- 2.5 Determine whether further changes to secondary admissions are required in the light of the 2008 data.”

42.20 Councillor Kemble formally seconded the amendment and wished to thank the members of the Parent Stakeholder Group, the Working Group and officers for their work to date. He believed that the committee was in a difficult position and having asked for aspects to be re-examined at its last meeting, was faced with a set of proposals that it was difficult to accept at this point in time. He also noted that the large intake for 2008 had not helped matters and believed that the proposed amendment allowed for further review and time to bring forward a revised policy. He therefore asked the committee to support the amendment.

42.21 Councillor Hazelgrove stated that he could not support the amendment and noted that the committee had previously accepted the proposals unanimously at its meeting in November with the request to review the Patcham and Falmer and Preston Park

catchment areas. The amendment would result in the maintenance of the 'golden halos' until 2010 and went against the recommendations of the Working Group, which included Members of the Conservative Group.

- 42.22 Councillor Bennett noted that the current satisfaction level was 93% and stated that there was a need to address the concerns of the 7%, and she had hoped the review would do this. However, she could not agree to the introduction of a lottery and had a petition signed by over 400 parents against such a system. She felt that a further review should take place once the outcome of how equal preference affected matters was known and therefore supported the amendment.
- 42.23 The Chair noted the comments and stated that she felt the amendment went against that which the committee had accepted in November and showed a lack of commitment to what had been a comprehensive process of review and consultation. She could not accept the need to delay matters until 2010 and hoped that Members would not accept the amendment.
- 42.24 Councillor Hyde stated that whilst the committee had reached a conclusion in November, there was a need to listen and take on board the views of others since then. Having done so, it was clear that the proposals did not provide for a more transparent and fairer system and it was evident that the consultation process had not been as complete as it should have been. She noted that at a meeting at St. Margaret's Primary School on the 29th January, only one parent had been aware of the proposed changes and consultations that had taken place. She believed that the proposals were simply meeting the interests of a group of vocal parties and were not for the benefit of the city as a whole. She also questioned the changes affecting the Whitehawk area and suggested that the proposals would prevent children from attending the top performing schools such as Dorothy Stringer and Varndean, simply to allow parents in the centre of the city access to them. Those children in deprived areas would be faced with single catchment areas and therefore a lack of choice given the failings of the schools in those areas.
- 42.25 Councillor Mallender stated that he wished to thank everyone who had emailed him on the matter, as well as the members of the Working Group and Parent Stakeholder Group. He believed that a great deal of hard work had been undertaken and the proposals put forward were a result of that hard work. The amendment appeared to simply accept the equal preference criteria required by the government and to make no other changes. In this respect, given the acceptance by the committee for a review of the admissions policy, he could not understand the lack change and the

continuation of 'golden halos' for a privileged few. He believed there had been cross-party support for proposals and had hoped this would be the case today. However, this was not the case and would therefore not support the amendment.

- 42.26 Councillor Norman stated that as a member of the Working Group he had been fully aware of how much time and effort had been put into the review and how thorough the consultation process had been. He also wanted to thank the officers who had supported the Group and provided excellent information to both the Working Group and the Parent Stakeholder Group. Members of both groups had been placed under a great deal of pressure and felt they had conducted themselves admirably throughout the process. They had volunteered to get involved and been willing to put forward a set of proposals which it was felt would benefit the city as a whole. The Groups had had to reach a compromise on some issues and it was for the committee to consider the proposals and determine whether or not they should be implemented.
- 42.27 Councillor Mitchell stated that she had kept fully briefed on the issue and had discussed matters with parents throughout East Brighton. The feedback she had received was that the proposals offered greater certainty for people in terms of having an identified local school and were regarded as being open and transparent. She believed the proposals offered a greater element of social justice and would therefore not support the amendment.
- 42.28 The Chair noted that there were no other comments and put the amendment to the committee.
- 42.29 The amendment was lost by 6 votes to 5 with the Chair using her casting vote, the vote having been tied at 5 for and 5 against.
- 42.30 The Chair stated that she wished to move the following amendment, resulting in an additional two recommendations being adopted:
- “That it be agreed that the new schools admission system be kept under review so that if necessary the catchment area boundaries could be adjusted after the first year of operation, in light of the pattern of preference and allocations in that year; and
- That as recommended by the Working Group, a review of the whole secondary schools admissions system in 2012 be approved.”
- 42.31 Councillor Hazelgrove formally seconded the amendment.
- 42.32 Councillor Mallender stated that he was in favour of the amendment and hoped that the review would take into account those cases within the city where local communities were affected by the

boundary lines for catchment areas.

- 42.33 The Chair noted that there were no other comments and put the amendment to the committee.
- 42.34 The amendment was won by 6 votes to 5 with the Chair using her casting vote, the vote having been tied at 5 for and 5 against.
- 42.35 Councillor Mallender stated that in moving his amendment to recommendation 2.9 his concern is that the proposed catchment areas will not catch all the children therein. The actual numbers concerned are disputed of course, but looking at the recommendation he could see no certainty that much would be done to remedy the situation when over-subscription occurred. He therefore proposed the following amendment, with the deletion of the words 'should' and replacement by 'will', the deletion of 'should be' and replacement by 'is' and the deletion of 'wherever possible':
- "That the CYPT ~~should~~**will** negotiate with secondary schools annually to ensure that oversubscription within any catchment area ~~should be~~**is** addressed by the addition of extra places ~~wherever possible~~, for that year, rather than necessitate local students having to leave their identified catchment area."
- 42.36 The Chair stated that she wished to formally second the amendment as she believed it was important to seek to impose a dialogue with schools, so as to fulfil a clear objective of the admissions policy i.e. to meet the needs of families.
- 42.37 The Chair noted that there were no other comments and put the amendment to the committee.
- 42.38 The amendment was won by 6 votes to 5 with the Chair using her casting vote, the vote having been tied at 5 for and 5 against.
- 42.39 The Chair noted that the approval of the two amendments meant that the recommendations contained in the report had been altered at 2.9 and added to with new recommendations at 2.10 and 2.11. She also noted that the committee needed to consider the three options detailed in recommendation 2.2 and suggested that the meeting should adjourn for ten minutes prior to consideration of the options and the revised recommendations.
- 42.40 The meeting was adjourned at 7.10pm and reconvened by the Chair at 7.20pm.
- 42.41 The Chair stated that she would take each recommendation listed and the additional recommendations on an individual basis, and in

order to assist the debate moved that Option (ii) under recommendation 2.2 be approved.

42.30 Councillor Hazelgrove stated that he felt both Falmer and Patcham schools were progressing and providing a good educational base for those children attending them. He was therefore happy to support option (ii).

42.42 Councillor Mallender stated that he believed some excellent work was being undertaken at Falmer and he could not support suggested late change of BN2 3 in option (iii) and therefore supported option (ii).

42.43 Councillor Mrs. Brown stated that the Conservative Group absolutely opposed recommendation 2.1 and that the Group would vote on each of the other recommendations as they were taken. In respect of recommendation 2.2. the Group would support option (ii).

42.44 The Chair noted the comments and put each of the recommendations to the committee, taking into account that recommendation 2.9 had been amended and two further recommendations had been added at 2.10 and 2.11.

42.45 **RESOLVED –**

- (1) That the fixed catchment areas for the Brighton & Hove's Secondary Admissions process for children starting secondary school in September 2008 as detailed in the report be adopted;
- (2) That the boundaries of the catchment areas for the secondary schools admissions in September 2008, subject to further statutory consultation with the relevant governing bodies, be agreed in principle in accordance with Option 2, as detailed in appendices II and III to the report;
- (3) That in the event that Falmer School becomes an academy, its catchment area be reviewed;
- (4) That the change in the application of the sibling link to only apply within the designated catchment areas with effect from September 2013 as detailed in the report be agreed;
- (5) That the adoption of an equal preference system by Brighton & Hove as part of the oversubscription criteria from September 2008 be agreed;
- (6) That the use of an electronic ballot system in the event of oversubscription within the catchment areas, rather than distance measurement be agreed;

- (7) That in the event of oversubscription from outside of the approved catchment areas the use of a subsequent ballot be agreed;
- (8) That it be agreed that in the event of a ballot being required, twins and other same age sibling combinations would be treated as a single ballot entry should their parents or carers wish it;
- (9) That the CYPT will negotiate with secondary schools annually to ensure that oversubscription within any catchment area is addressed by the addition of extra places for that year, rather than necessitate local students having to leave their identified catchment area;
- (10) That it be agreed that the new schools admission system be kept under review so that if necessary the catchment area boundaries could be adjusted after the first year of operation, in light of the pattern of preference and allocations in that year; and
- (11) That as recommended by the Working Group, a review of the whole secondary schools admissions system in 2012 be approved.

Note: Resolutions (1), (6) and (7) above, were passed by 6 votes to 5 on the Chair's casting vote. The remaining recommendations were passed unanimously except for No. (3) where there was one abstention.

43. CAPITAL RESOURCES & CAPITAL INVESTMENT PROGRAMME 2007/2008

- 43.1 The Committee considered a report of the Director of Children's Services detailing the level of available capital resources allocated to this service for 2007/2008 (for copy see minute book). The report noted that the capital investment programme for 2007/08 would be included in the overall a Capital Investment Programme for the Council which was due to be considered by the Policy & Resources Committee at its meeting on the 8th February 2007. The report also included the use of revenue contributions to support capital investment which should be read in conjunction with the Revenue Budget 2007/2008 report for the service.
- 43.2 Councillor Hazelgrove referred to page 34 of the report and asked if further details relating to the new schemes listed could be circulated to Members of the committee.
- 43.3 The Assistant Director, Schools stated that he would ensure a briefing note was sent to all Members of the Committee outlining as much information as possible in relation to the new schemes.

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43.4 **RESOLVED –**

- (1) That the level of available capital resources totalling £9,870,000 as detailed in the report be noted; and
- (2) That the submission of a capital bid to the Property Improvement Fund as set out in Section 3 of the report be noted.

44. ITEMS TO GO FORWARD TO COUNCIL

44.1 **RESOLVED** - That no items be referred to Council.

The meeting concluded at 7.45pm

Signed

Chair

Dated this

day of

2007