

BRIGHTON & HOVE CITY COUNCIL
EDUCATION OVERVIEW & SCRUTINY PANEL

6.00PM – 7 FEBRUARY 2006

HOVE TOWN HALL

DRAFT MINUTES

Present: Councillor Meegan (Chair), Councillors Norman (Deputy Chair), Bennett, Edmond-Smith, Hamilton, Morgan, Simson, Smith, Taylor and Willows.

Statutory Co-optees with Voting Rights: Mrs E Yates – Diocese of Chichester; Mr F Myers – Diocese of Arundel and Brighton; Clare Jackson – Parent Governor Representative; Sophie Ricca-McCarthy – Parent Governor Representative.

Non-Voting Non-Statutory Co-optees: Mrs A Antonio – National Union of Teachers; Mrs S Llewellyn-Powell – Association of Teachers and Lecturers; Ms R Mattacks – Brighton and Hove Governors Network; Ms S Messenger – NASUWT.

Also Present: David Hawker – Director, Children, Families and Schools; John Heys – Principal Solicitor; Chris Ouellette – Scrutiny Support Officer; Gil Sweetenham – Assistant Director, Schools.

PART ONE

41. PROCEDURAL BUSINESS

41A. Declarations of Substitutes

41.1 Substitute Councillor For Councillor

Councillor Taylor

Councillor Wrighton

41B. Declarations of Interest

41.2 Councillors Hawkes and Brown, as invitees of the Panel to submit evidence, declared personal and prejudicial interests as Members of Children, Families and Schools Committee.

41C. Exclusion of Press and Public

41.3 The Panel 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.

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

42. PUBLIC QUESTIONS

- 42.1 There were none as it was an extraordinary meeting of the Panel.

43. SCHOOL ADMISSIONS REVIEW – CALL-IN

- 43.1 The Panel considered a joint report of the Director of Strategy and Governance and the Director of Children, Families and Schools to determine whether to ask the Children, Families and Schools Committee to reconsider its decisions not to change the current secondary school admissions arrangements for 2007 (see minute book).
- 43.2 The Chair invited Councillors Edmond-Smith and Pennington to speak as initiators of the request for call-in. The Councillors considered that the Children, Families and Schools Committee's decisions had not satisfied article 11.02 (a) and 11.02 (e) of the council's constitution, which states that council decisions should be made in accordance with the principles of proportionality, and clarity of aims and desired outcomes. They stated that the decisions made were unfair as they negatively affected a minority of residents in an area of Brighton & Hove. They claimed the consultation had fundamental flaws in it, specifically with regards to mechanisms for catching double counting; the validation of forms; that the Working Group's proposals may have lulled people into a false sense of security; and that some groups were more responsive than others.
- 43.3 The Chair of Children, Families and Schools Committee was asked to respond. She outlined the process of how the decisions were made at the Committee, that legal advice had been taken; that there had been a lengthy and detailed debate; and that the Committee voted 8-2 in favour of accepting the School Admission Review report's final recommendation. She felt that the Committee acted with integrity and transparency and that the request for call-in should be turned down.
- 43.4 The Assistant Director, Schools also highlighted that the education environment in Brighton & Hove would be evolving over the next year. The outcomes of the Schools Bill and the possibility of an Academy at Falmer would affect any admissions policy and he felt it would be prudent to retain the current system until those uncertainties had been decided.
- 43.5 The Opposition Spokesperson on Children, Families and Schools Committee was invited to speak. She stated that she concurred with both the Chair of Children, Families and Schools Committee and the Assistant Director, Schools, and because there was a fine balance and

so much information to consider, the Committee should continue with the status quo until further conclusions were drawn.

43.6 At this point, the Chair asked the Committee Members of Children, Families and Schools to leave the Chamber and he then asked for comments from the Panel. The Panel debated the issue at length, highlighting various points and ideas. A Panel member called on Children, Families and Schools Directorate to examine an 80/20 admissions policy, whereby 20% of the places available at the two designated schools would be allocated to pupils living outside their area.

43.7 The Chair asked the committee to vote on whether to accept the call-in and to refer the decisions back to the CFS committee.

A recorded vote was requested.

Those in favour of call-in: Councillors Edmond-Smith, Hamilton, Meegan, Morgan and Taylor. Mrs Jackson and Ms Ricca-McCarthy.

Those against call-in: Councillors Bennett, Norman, Simson, Smith and Willows. Mr Myers and Mrs Yates.

Abstentions: nil.

The votes were tied with 7 in favour and 7 against. The Chair exercised his casting vote in favour of call-in.

43.8 **RESOLVED –**

- (i) That the decisions by the Children, Families and Schools Committee taken on 23 January 2006, Item 65 – School Admissions Review, be called-in and referred back to the Committee for reconsideration.
- (ii) The reasons for the acceptance of the call-in request be those stated in the request and amplified in these minutes and that the Director of CFS consider further exploring the option of the 80/20 admissions policy to present it to the Children, Families and Schools Committee.

44. ITEMS TO GO FORWARD TO COUNCIL

44.1 **RESOLVED –** None.

PART TWO

45. ITEMS TO REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND

PUBLIC

45.1 **RESOLVED** – That no items remain exempt from disclosure to the press and public.

The meeting concluded at 7:20pm

Signed

Chair

Dated this

day of

2006