

BRIGHTON & HOVE CITY COUNCIL

SPECIAL COUNCIL

4.30pm 4 MARCH 2024

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Davis, Evans, Fowler, Grimshaw, Meadows, McNair, Robins, Sankey, Shanks, West, Wilkinson, Williams, Alexander, Allen, Asaduzzaman, Baghoth, Burden, Cattell, Czolak, Galvin, Goddard, Goldsmith, Helliwell, Hewitt, Hill, Hogan, Loughran, McLeay, Miller, Muten, Nann, Oliveira, Pickett, Pumm, Robinson, Rowkins, Sheard, Simon, Taylor, Thomson, Winder and Guilmant

PART ONE

13 DECLARATIONS OF INTEREST

13.1 There were none.

14 MAYOR'S COMMUNICATIONS.

14.1 There were none.

14A DEPUTATIONS RECEIVED FROM MEMBERS OF THE PUBLIC

14a.1 The mayor reported that three deputations had been received from members of the public and invited Helen Williams as the spokesperson for the first deputation to come forward and address the Council.

14a.2 Helen Williams thanked the mayor and presented the deputation concerning St Peter's Community Primary School and Nursery as set out in the agenda.

14a.3 Councillor Taylor replied: Thank you Madame mayor and thank you Helen for your deputation. As somebody who once came to this chamber before being a Councillor, I remember it being extremely nerve wracking so well done for doing it, it really takes a lot of courage to come up and fight for what you believe in. We understand how upsetting and unsettling this process is for families, especially when you have more than one child to think about and think about moving settings. I would say that the Council has not embarked on this road lightly. I want to assure Council, the school and the families about the public consultation and the statutory representation periods which were fully open and meaningful, and significant efforts were made by council officers, Councillors, the school and others to ensure that many voices were heard.

Representations made have been considered and are addressed in the report before Council and Councillors have had access to all the responses unedited. The report sets out why it is still considered necessary to close the school and this is what we will consider in the forthcoming debate.

In making decisions about how to manage the surplus places across the city, and the implications for the finances and educational offer of undersubscribed schools, there is no way for Councillors to prevent any change that will not have an impact on families. The welfare of children is a priority for this administration which is why urgent action is being taken on this matter which we will explore in the debate this evening. The report tonight comes with a thorough EIA, detailing the potential impact of the school closure on both staff, children and their families and within that report there are a list of mitigation actions already identified to try and minimise that impact wherever possible. That work is then being further developed with the already established transition board.

We recognise the great pressure there is on SEND services across the country and the very real difficulties families of SEND children face every day. We accept that for our SEND children at these schools, the change may be more difficult, and this is why we are putting in place measures to provide additional support where is needed as described in the report.

As a city we have a good response to children with SEND and are confident that other schools will work well to meet children's needs. Regarding the D of E guidance, which is an important point, I would say that Councillors and officers have responded to multiple questions raised about this matter a number of times throughout the past few months. The Council is confident that the decisions have been, and are being made, within the law and the Council have properly applied the statutory guidance in relation to school closures giving careful consideration to the issues that have been raised. The guidance set out the considerations in which the Council as decision makers must consider when making their determination and this is a balancing exercise which is required.

These considerations and the Council's responses are set out in the paperwork presented at Full Council today and will be considered by members when making our decision. Thank you again for your deputation.

- 14a.4 The mayor thanked Helen Williams for attending the meeting and speaking on behalf of the deputation. She explained that the points raised had been noted by Council.
- 14a.5 Kirsty Moore presented the deputation concerning St Peter's Community Primary School and Nursery as set out in the agenda.
- 14a.6 Councillor Helliwell replied: Thank you Madame mayor and thank you Kirsty for you deputation today. I appreciate this is a difficult day for you and it takes courage to come and speak in front of so many people.

I'm sorry to hear about the upset this process and proposal has caused you and your family. We understand that as much as this is a tough decision for us to make, it is so much harder for the families, children and staff involved. The usual routes of support remain open, and they should still be used when and where they're needed. Where a child affected has special educational needs, planning work has commenced on

ensuring their needs are understood so that a receiving school will know how best to support them before, during and after transition and this applies to West Sussex children just as Portslade children.

As we've previously discussed in committee, West Sussex County Council have a duty to offer a school place to children living in their area if that has been requested. West Sussex County Council, like Brighton and Hove, can only allocate places where they are available, and in accordance with their subscription criteria. However, both authorities make every effort to offer parents a place at their preferred school wherever this is possible. Unfortunately, the government's funding formula for schools, and 14 years of cuts, mean smaller classes, which many parents and children would prefer, are not financially viable except in private schools.

Schools routinely talk to each other in order to support pupil transition, and this is no different for schools in different local authorities. Individual details, including information about any additional needs of pupils moving from St Peter's to a West Sussex school, will be shared between schools so that children will be properly supported and known in their new school. I've every confidence that St Peter's will work actively with whatever alternative school is selected for the children affected and all schools are aware of their duties to children with SEN and already experienced in supporting SEN children.

The report sets out how the work of the transition board will have a particular focus on children with SEN. West Sussex County Council are aware of the proposals and have been since the start of the public consultation process and Brighton and Hove will continue to work closely with them to ensure any displaced pupils are offered an alternative school places, and that all schools have the appropriate information in order to support children through this difficult transition.

If an oversubscribed school is the preferred choice, and an application is declined, both authorities do have appeals processes that the parents/carers can use. Additionally, some schools will give a category for exceptional circumstances and if a parent feels that their child fills this criteria, they should make this clear on their application. Thank you for coming today, Kirsty.

- 14a.7 The mayor thanked Kirsty Moore for attending the meeting and speaking on behalf of the deputation. She explained that the points raised had been noted by Council.
- 14a.8 Katie Blood presented the deputation concerning St Bartholomew's C of E Primary School as set out in the agenda.
- 14a.9 Councillor Sankey replied: Thank you Madame mayor and thank you for your deputation Katie and your work to advocate on behalf of the children at St Bartholomew's. We have heard several times, and recognise the strength of feeling from the school and the community, about the perceived lack of kindness and compassion in this process and we are sorry how that has felt. The Council has led an open and full consultation and representation process, during appropriate and allowable timescales, in accordance with the legislation and the statutory guidance. The Council, both Officers and Councillors, have engaged with St Bartholomew's on a range of ways to hear the voice of the St Bartholomew's school community throughout this process and Councillors have had access to all the responses, including from the governing body.

We recognise that people may not feel or believe that they have been listened to. This is in some ways inevitable when a proposal is made that contradicts a community's wishes. But for what it's worth, I would like to reassure that every single piece of feedback has been read, understood, listened to and considered, informing the process and assisting the Council to think about how best to address the very real concerns being raised by both parents and by the governing body on behalf of parents and staff. The report sets out why it is still considered necessary to close the school and why a longer time scale is not considered to be the right thing to do in all of the circumstances, and this is what we will consider in the forthcoming debate this evening. The school's alternative ideas have been considered and responded to, they have not simply been dismissed. Members will note where the report addresses directly the ideas and issues raised by school representatives.

One element of the deputation I will respectfully dispute is that we did not campaign on a platform that said we will not close any schools. Our manifesto pledge was to use what money is available from central government to keep schools open and despite the dangerously unsustainable situation of our city's schools, we've opted for a package of measures that minimise school closures and concentrate instead on pan reductions and collaboration between schools.

On taking office, this administration has been faced with the need to take urgent action in relation to school places because of the inaction of the previous administration, and we won't duck and delay difficult decisions. Whatever the timescales for the closure, we can expect that any proposals will be rejected by some, especially when that change affects children and families. This has also been the case in the London boroughs that you refer to. We accept the very real concern the school and families around St Bartholomew's have, the impact of the close on children. If the decision is made to close the school, I hope the school will work closely with council colleagues, receiving schools and families to support a good transition process, albeit one that you don't agree with.

We want kindness, compassion and person-centred support to be an inherent part of this process and we believe that stretching out that process by another year will also have implications for the welfare of those affected. The staff consultation commenced early at the request of your staff's trade unions, and it is entirely for the benefit of your staff. It means that they are in the council's redeployment pool for longer and have more time to consider what might be the best outcome for them. Thank you again for your deputation Katie.

14a.9 The mayor thanked Katie Blood for attending the meeting and speaking on behalf of the deputation. She explained that the points raised had been noted by Council.

15 PROPOSAL FOR CLOSURE OF ST BARTHOLOMEW'S CE PRIMARY SCHOOL

15.1 Councillor Taylor introduced, and formally moved the report.

15.2 Councillor Goldsmith, Hogan, Goddard, Pickett, McNair, Pumm, Shanks spoke on the matter.

15.3 Councillor Taylor responded and closed the debate.

15.4 Councillor Shanks called for a recorded vote which was put to the vote and carried.

15.5 The mayor put the recommendations as detailed in the report listed in the agenda to the vote which was carried.

		For	Against	Abstain			For	Against	Abstain
1	Alexander	✓			28	McGregor	Not Present		
2	Allen	✓			29	McLeay		✓	
3	Asaduzzaman	✓			30	McNair		✓	
4	Atkinson	Not Present			31	Meadows		✓	
5	Bagaeen	Not Present			32	Miller	✓		
6	Baghoth	✓			33	Mistry	Not Present		
7	Burden	✓			34	Muten	✓		
8	Cattell	✓			35	Nann	✓		
9	Czolak	✓			36	O'Quinn	✓		
10	Daniel	Not Present			37	De Oliveira	✓		
11	Davis		✓		38	Pickett		✓	
12	Earthy	Not Present			39	Pumm	✓		
13	Evans	✓			40	Robins			✓
14	Fishleigh	Not Present			41	Robinson	✓		
15	Fowler	✓			42	Rowkins	✓		
16	Gajjar	Not Present			43	Sankey	✓		
17	Galvin	✓			44	Shanks		✓	
18	Goddard	✓			45	Sheard	✓		
19	Goldsmith		✓		46	Simon	✓		
20	Grimshaw	✓			47	Stevens	Not Present		
21	Guilmant	✓			48	Taylor	✓		
22	Helliwell	✓			49	Theobald	Not Present		
23	Hewitt	✓			50	Thomson	✓		
24	Hill		✓		51	West		✓	
25	Hogan		✓		52	Wilkinson	✓		
26	Loughran	✓			53	Williams	✓		

27	Lyons	Not Present			54	Winder	✓		
						Total	32	10	1

15. The mayor confirmed that the recommendations had been carried by 31 votes to 10 with 1 abstention.

RESOLVED:

- 1) That Full Council accept the recommendation from the meeting of Children, Families and Schools Committee on 29 February 2024 and notes the draft minutes.
- 2) That Full Council approved the closure of St Bartholomew’s CE Primary School with effect from 31 August 2024.

16 PROPOSAL FOR CLOSURE OF ST PETER'S COMMUNITY PRIMARY AND NURSERY SCHOOL

- 16.1 Councillor Helliwell introduced, and formally moved the report.
- 16.2 Councillor Hill, Meadows, Simon, Davis, Allen and Shanks spoke on the matter.
- 16.3 Councillor Helliwell responded and closed the debate.
- 16.4 Councillor Shanks called for a recorded vote which was put to the vote and carried.
- 16.5 The mayor put the recommendations as detailed in the report listed in the agenda to the vote which was carried.

		For	Against	Abstain			For	Against	Abstain
1	Alexander	✓			28	McGregor	Not Present		
2	Allen	✓			29	McLeay		✓	
3	Asaduzzaman	✓			30	McNair		✓	
4	Atkinson	Not Present			31	Meadows		✓	
5	Bagaeen	Not Present			32	Miller	✓		
6	Baghoth	✓			33	Mistry	Not Present		
7	Burden	✓			34	Muten	✓		
8	Cattell	✓			35	Nann	✓		
9	Czolak	✓			36	O’Quinn	✓		
10	Daniel	Not Present			37	De Oliveira	✓		
11	Davis		✓		38	Pickett		✓	

12	Earthey	Not Present			39	Pumm	✓		
13	Evans	✓			40	Robins			✓
14	Fishleigh	Not Present			41	Robinson	✓		
15	Fowler	✓			42	Rowkins	✓		
16	Gajjar	Not Present			43	Sankey	✓		
17	Galvin	✓			44	Shanks		✓	
18	Goddard	✓			45	Sheard	✓		
19	Goldsmith		✓		46	Simon	✓		
20	Grimshaw	✓			47	Stevens	Not Present		
21	Guilmant			✓	48	Taylor	✓		
22	Helliwell	✓			49	Theobald	Not Present		
23	Hewitt	✓			50	Thomson	✓		
24	Hill		✓		51	West		✓	
25	Hogan		✓		52	Wilkinson	✓		
26	Loughran	✓			53	Williams	✓		
27	Lyons	Not Present			54	Winder	✓		
						Total	31	10	2

16.6 The mayor confirmed that the recommendations had been carried by 31 votes to 10 with 2 abstentions.

RESOLVED:

- 1) That Full Council accept the recommendation from the meeting of Children, Families and Schools Committee on 29 February 2024 and notes the draft minutes.
- 2) That Full Council approved the closure of St Peter’s Community Primary and Nursery School with effect from 31 August 2024.

17 CLOSE OF MEETING

The meeting concluded at 6.05pm

Signed

Chair

Dated this

day of

2024

