

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 8TH JULY, 2020

PRESENT: Councillor A Lamb in the Chair

Councillors H Bithell, P Drinkwater,
B Flynn, A Forsaith, J Heselwood,
C Howley, A Hussain, J Illingworth,
W Kidger, J Lennox, A Marshall-Katung,
R. Stephenson and P Wray

CO-OPTED MEMBERS (VOTING)

Mr A Graham - Church Representative (Church of England)
Ms J Ward – Parent Governor Representative (Secondary)

CO-OPTED MEMBERS (NON-VOTING)

Ms C Foote - Teacher Representative

10 Appeals Against Refusal of Inspection of Documents

There were no appeals.

11 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

12 Late Items

There were no formal late items. However, the following supplementary information in relation was published following agenda publication in relation to Agenda Item 7 (Minute 16 refers):

- Statement re additional room requirements from David Gurney (Executive Head teacher at Cockburn School)

13 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

14 Apologies for Absence and Notification of Substitutes

Draft minutes to be approved at the meeting
to be held on Wednesday, 9th September, 2020

Apologies were received from Councillors C Gruen and K Renshaw. Councillors J Heselwood and P Wray attended the meeting as substitutes.

Apologies were also received from Co-opted Members T Britten, E Holmes, D Reilly, H Bellamy and K Blacker.

15 Call In Briefing Paper

The Head of Democratic Services submitted a report in relation to the procedural aspects of the call in process.

Members were advised that the options available to the Scrutiny Board in respect of this particular called in decision were as follows:

Option 1- Release the decision for implementation

Having reviewed this decision, the Scrutiny Board may decide to release it for implementation. If the Scrutiny Board chooses this option, the decision will be immediately released for implementation and the decision may not be called in again.

Option 2 - Recommend that the decision be reconsidered

The Scrutiny Board may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board chooses this option a report will be submitted to the decision maker.

In the case of an Executive Board decision, the report of the Scrutiny Board will be prepared within three working days of the Scrutiny Board meeting and submitted to the Executive Board. Any report of the Scrutiny Board will be referred to the next Executive Board meeting for consideration.

In reconsidering the decision and associated Scrutiny Board report, the Executive Board may vary the decision or confirm its original decision. In either case, this will form the basis of the final decision and will not be subject to any further call in.

Failure to agree one of the above options

If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to call in.

RESOLVED – That the report outlining the call in procedures be noted.

16 Learning Places Design & Cost Report School Places Delivery September 2020

The Head of Democratic Services submitted a report that presented background papers to an Executive Board decision which had been called in in accordance with the Council's Constitution.

The decision had been called in for review by Councillors Ryan Stephenson, Wyn Kidger and Mark Dobson.

The Scrutiny Board considered the following written information:

- Call in request form – Friday 26th June 2020
- 'Learning Places Design & Cost Report School Places Delivery September 2020' Executive Board report and appendices, 24th June 2020
- Minute 177, Executive Board, 24th June 2020
- Statement re additional room requirements from David Gurney (Executive Head Teacher of Cockburn School)

The following were in attendance:

- Councillor Jonathan Pryor, Executive Member for Learning, Skills and Employment
- Councillor Fiona Venner, Executive Member for Children and Families
- Sal Tariq, Director of Children and Families
- Tim Pouncey, Chief Officer for Resources and Strategy
- Viv Buckland, Head of Learning Systems, Children and Families
- Jane Walne, Head of Projects and Programmes, Asset Management and Regeneration
- Adele Robinson, Senior Project Manager, City Development

As the Nominated Lead Signatory to the Call In, Councillor Stephenson addressed the Board and initially clarified that the Call In was only in relation to resolutions 10(a), 10(b), 10(c) and 10 (e) of the Executive Board's decision in terms of awarding £6,845,000 to Cockburn Multi-Academy Trust (MAT) for works associated with a 60 place bulge.

Councillor Stephenson proceeded in delivering a PowerPoint presentation to help set the context for why the decision had been Called In, which had primarily been based on concerns surrounding the funding allocation being disproportionate to the desired outcome and whether other options had been adequately explored. As part of his presentation, Councillor Stephenson shared written evidence provided by Mr Matthew Spellman, Director at the Department for Education to questions relating to the Lawrence Calvert Academy as well as presenting other sources of information with regard to issues surrounding the proposals at Cockburn Academy; financial aspects, school place pressures; and the project timetable.

During his presentation, Councillor Stephenson also introduced Alan Shaw, the Chair of Friends of Middleton Park, as an external witness. Mr Shaw provided some historical context for the land to be transferred to Cockburn School to form new sports facilities, and informed the Board that parts of the land are currently utilised as access points to Middleton Park and surrounding areas by the local community which would no longer be available if transferred to Cockburn School. Mr Shaw also noted the Friends of Middleton Park had not been consulted on the proposals and would have valued an opportunity to comment prior to decision.

Members queried whether the access points set out by Mr Shaw, currently part of the former South Leeds Golf Course, are legally accessible to the public. It was confirmed that the land was transferred back to the Council in March 2020, and prior to that, the land was part of the South Leeds Golf Course and therefore private land. Therefore, since March 2020, the land has been legally available to the public. In response to a query, Members were advised that the new sports facilities would be available for community use.

Councillor Stephenson then introduced Richard Amos, Strategic Lead Officer for the GORSE Academies Trust, as an external witness. Mr Amos provided further context to the pressures in regards to school places in the south of Leeds, and informed the Board that after being approached about potential bulge cohorts, the Trust had suggested a meeting of all schools within the area to discuss the best way forward in early June 2020. Mr Amos advised that there had been no further correspondence from the Council following this suggestion. Councillor Stephenson asked Mr Amos for an estimated cost for a bulge cohort of 60 pupils and was advised that, based on previous similar arrangements, a bulge cohort of this size would be expected to cost between £500k and £1m.

Members were given the opportunity to ask questions / provide comment at this stage. Discussions included:

- *Costs of similar bulge arrangements.* Members noted that the expansion to Cockburn School would be permanent, as opposed to the temporary fixtures for bulge cohorts delivered by other schools in the local area.
- *Community / travel needs.* Members recognised the need for education provision that meets the needs of the local area, taking into account the travelling distance for pupils and enhanced facilities for use of the local community.

The Executive Member for Learning, Skills and Employment addressed the Board and responded to the concerns raised. In particular, the Executive Member informed the Board that the proposals were approved by the DfE as proportionate to the size of the bulge cohort. Members were also advised that the expansion would not only benefit the 60 pupil bulge cohort, but the whole school population, as well as the local community, as the number of pupils in recent years has significantly increased with no structural expansion to date. Within this context, reference was made to other comparable school building

costs and it was highlighted that Cockburn Academy had historically received less funding per pupil. The Executive Member noted that the GORSE Academies Trust had declined further bulge cohorts when contacted earlier in the year, and that there had been delays in correspondence due to the pressures associated with Covid-19. Members were advised that the funding allocation is essential, and there were no further options available to the Council for additional provision in the local area by September 2020.

Members were also advised that the funding data published on the DfE website in relation to the expansion scheme is incorrect, despite requests made to rectify the inflation of figures.

Members were given the opportunity to ask questions / provide comment at this stage. Discussions included:

- *Sports facilities.* Members queried whether the additional sports facilities were an essential part of the scheme, as there had been reports of underuse of the current facilities from local residents. Members were advised that the school has historically been underprovided in terms of sports facilities by just under a hectare of land and the current limited facilities are not fit for purpose.
- *Future excess provision.* In response to a query as to whether there would be an excess in provision in future years, Members were advised that Cockburn School are at present operating over capacity in every year group and therefore all provision will continue to be essential beyond the bulge cohort arrangement.

RESOLVED – That the contents of the report and the information presented during the meeting be noted.

17 Outcome of Call In

The Scrutiny Board considered whether or not to release the decision for implementation. A vote was subsequently held and the Scrutiny Board agreed (by majority decision) that the decision be released.

RESOLVED – That the decision be released for implementation.

18 Date and Time of Next Meeting

Wednesday, 9th September 2020 at 10.00 am (pre-meeting for all Board Members at 9.45 am)