

NOTTINGHAM CITY COUNCIL

OVERVIEW AND SCRUTINY - CALL IN PANEL

MINUTES of the meeting held at LB 31-32 - Loxley House, Station Street, Nottingham, NG2 3NG on 12 April 2016 from 10.04 - 11.20

Membership

Present

Councillor Azad Choudhry
Councillor Glyn Jenkins
Councillor Gul Nawaz Khan
Councillor Neghat Nawaz Khan
Councillor Brian Parbutt (Chair)
Councillor Anne Peach
Councillor Andrew Rule

Absent

Councillor Mohammed Ibrahim

Colleagues, partners and others in attendance:

Lisa Allison	- Media Officer
Councillor Jim Armstrong	- Call-in co-signatory
Councillor Georgina Culley	- Call-in co-signatory
Lucy Juby	- Project Manager
Rav Kalsi	- Senior Governance Officer
Jonny Kirk	- Service Manager – Access to Learning
Nick Lee	- Acting Head of School Improvement
Councillor Sally Longford	- Observer
Councillor Sam Webster	- Portfolio Holder for Schools
James Welbourn	- Governance Officer

14 APOLOGIES FOR ABSENCE

Councillor Mohammed Ibrahim – non-Council business

15 DECLARATIONS OF INTERESTS

None.

16 CONFIRMATION OF VALIDITY OF CALL-IN

Councillor Brian Parbutt (Chair) explained the procedure for the hearing to the attendees. He outlined the reasons for the call-in and requested that the Panel review its validity. The following points were raised:

- (a) Rav Kalsi, Senior Governance Officer, reported that the Head of Legal Services had taken the view that points B-D on the Call-In Request Form are valid. On the basis of the information provided, the Panel would need to consider whether the reasons for call-in were valid. It would be left to the Panel to decide whether they agreed with this view;

- (b) reason D on the Call-In Request Form mentioned not having considered viable alternatives, such as a new school in Wollaton. Options had been considered at the December meeting of Executive Board, which was then subsequently referred to in the Executive Board report in March;

Councillor Brian Parbutt summed up by saying that there was an opportunity for members to call-in the December report during its call-in period – this was not done. He proposed to the Panel that the validity of the call-in be accepted on the basis of points B, C and E on the Call-In Request Form. Points A and E would not be considered valid

RESOLVED to:

- (1) **confirm the call-in request as valid on the following grounds:**

(a) Inadequate consultation relating to the decision.

- (i) those being consulted are under the impression that consultation on the expansion of Fernwood School is ongoing until the end of this year;**

(b) Relevant information not considered:

- (i) there is a considerable lack of parking provision to address school attendance levels;**

(c) Justification for the decision open to challenge on the basis of evidence considered:

- (i) 57% of those consulted were against expansion of the school.**

17 CONSIDERATION OF CALL-IN REQUEST

Following the report from the Head of Democratic Services, the Committee was asked to:

- consider the information provided in relation to Executive Board report Proposed expansion of Fernwood Primary and Nursery School, Wollaton and minute 90 of Executive Board dated 22 March 2016 and the reasons given for requesting a call-in of that decision and use that information to inform questioning and discussion;
- focus on the reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, his supporting colleague(s), and the councillors who requested the call-in decide to either:
 - i) require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
 - ii) agree that the decision does not need to be reconsidered and can be implemented.

Councillor Sam Webster, Portfolio Holder for Schools, presented the Panel with the following information in relation to the reasons for taking the decision:

- (a) the March Executive Board report came as the most recent part of the process of the expansion of Fernwood Primary School. The proposal in March was to expand Fernwood Primary from 840 places to become a 1050 place school, purely to meet pupil number demand in the Wollaton area. The decision fits with the Nottingham City Council (NCC) plan in which there was a pledge to provide good school places. This is part of an ongoing investment programme - £33 million has been spent on expanding primary schools since 2009;
- (b) there is a legal duty on the Council to provide enough school places, and there are certain options and solutions to turn to. One of things NCC is unable to do at this time is build new maintained community schools. The Local Government Association (LGA) has called on government to return these powers to local councils;
- (c) consultation on the expansion of Fernwood School was taken between 21 September and 18 October 2015. The Portfolio Holder for Schools was involved, and met with teachers, staff, parents and ward councillors. In addition to this, information was gathered from the community to see what the views were, and what objections were present. Statutory notices were produced and displayed in the area;
- (d) only 16% of the total of those consulted actually replied with objections. Proposal here is investment in Fernwood with the support of teachers and the governing body to meet the needs of the local community. The right and positive thing to do is to invest £2 million to make space for Wollaton children;

The call-in signatories responded with the following information:

- (e) traffic and parking in the area will be exacerbated by expansion - an over intensification of the site;
- (f) questions remain over the size of the classrooms, and the provision of additional meals;
- (g) the Primary school currently has over 100 pupils outside the catchment area attending the school – accommodating this number of children from outside of the catchment area does mean that local children will have to look elsewhere or go on the waiting list;
- (h) the school's Governing Body asked that certain issues are addressed before the expansion goes ahead. Councillor Georgina Culley felt that traffic issues on Arleston Drive, nor concerns about impact on school work were dealt with by the March Executive Board report;
- (i) Councillor Georgina Culley had been given the impression that members of the local community in Wollaton thought that the consultation was still ongoing until the end of 2016;

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- (j) the expansion will mean four extra classes at the junior school, in addition to two at the infants. This will have a substantial impact on traffic in the area;
- (k) Councillor Georgina Culley argued that this decision is politically motivated by unwillingness to create another school that would not be under Nottingham City Council control;
- (l) 57% of people that responded were against the proposal to expand;
- (m) much of the £2 million investment appears to be going solely on classrooms;
- (n) Councillor Jim Armstrong raised the concerns of a parent regarding the consultation process;

Councillor Sam Webster responded to the points raised:

- (o) a letter was circulated to parents on 18 September 2015. On Monday 28 September 2015 there was a meeting with parents and carers, followed by a consultation on 30 September with officers. On 7 October 2015 there was a school gates consultation, with a final additional session on 8 October 2015;
- (p) The school's governing body sent a letter to Councillor Sam Webster expressing their support for the scheme;
- (q) children outside the catchment area are in later years of the school as the school previously didn't take in all their children from the catchment – Fernwood School can no longer do this. 18 children within the catchment area did not get a place this year;
- (r) there is an academy primary school being built in one part of the city. It is not within the Council's gift to instruct and direct free schools and academies as to where they should build their schools. Third party companies are not currently building;

Panel members raised the following points:

- (s) Nottingham City Council has always tried to exceed government requirements when building classrooms. The size of the classrooms has been addressed through designs that the school buildings team will be taking;
- (t) in conjunction with the kitchen staff at the school, the Council will be looking at ways to better utilise the space available;
- (u) Statutory notices were posted outside schools, with all members consulted at the later stage.

RESOLVED to agree that the Executive Board report 'Proposed expansion of Fernwood Primary and Nursery School, Wollaton' does not need to be reconsidered and can be implemented for the following reasons:

- **the Portfolio Holder for Schools carried out consultation with teachers, staff, parents and the relevant Ward Councillors. This was supplemented with views from the community and statutory notices were produced and displayed in the area;**
- **the Portfolio Holder for Schools has committed to continuing to work with the schools' governing body to address traffic concerns, whilst acknowledging that traffic and parking concerns adjacent to school sites is a city-wide concern, not just in Wollaton.**