



# Record of decision

**THE FOLLOWING DECISIONS WERE TAKEN ON THURSDAY, 1 OCTOBER 2009 BY THE CABINET**

**OWING TO THE URGENCY OF THE DECISION ON REF 37/09 (SCHOOL ORGANISATION), CALL IN HAS BEEN DISAPPLIED**

**THE CALL IN PERIOD FOR DECISION REF 38/09 EXPIRES AT 5.00 PM ON FRIDAY, 9 OCTOBER 2009**

Members of the Cabinet who were present:

Cllrs David Pugh (Chair), Barry Abraham, Peter Bingham, George Brown Dawn Cousins, Edward Giles

Members also present (non-voting):

Cllrs Vanessa Churchman, Julie Jones-Evans, David Whitaker

Apologies:

Cllr Tim Hunter-Henderson

Confirmed as a true record of decisions taken .....

**Leader of the Council**

<b>Agenda item</b>	<b>Minutes of the Last Meeting</b>
<b>Decision reference</b>	<b>35/09</b>
<b>Decision Taken</b>	That the minutes of the meeting held on <a href="#">1 September 2009</a> be agreed.
<b>Questions / Amendments</b>	None.

<b>Agenda item</b>	<b>Public Question Time</b>
<b>Decision reference</b>	<b>36/09</b>
<b>Questions</b>	Mr David Miller of Cowes put a written question to the Cabinet asking whether the local Authority had applied for an exemption from the legal duty to publish a composite

	<p>prospectus by 12/09/09 for September 2010 School Admissions and whether they had written authority from the schools adjudicator about the related status of the proposals. Mr Miller also asked a supplementary question on the £400k annual school lift figure being proposed to be diverted to transport instead of education. The Leader provided a response.</p>
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<b>Agenda item</b>	<b>School Organisation – Decision on the Statutory and Competition Notices</b>
<b>Decision reference</b>	<b>37/09</b>
<b>Summary of Discussion</b>	<p>Members of the Cabinet discussed the report that was considered at the meeting of the Full Council on Wednesday, 30 September 2009 and the recommendations that Full Council had made to Cabinet following their consideration of the report.</p> <p>The Chairman advised members that owing to the urgency of the implementation of the decision and to avoid the matter being decided by the independent adjudicator, it was proposed to disapply Call In. Consultation with the Chairman of Overview and Scrutiny had taken place prior to the meeting and she was in agreement that as the matter had been considered by the Full Council that it should not be the subject of a Call In.</p> <p>Considerations were outlined that overcame the presumption against the closure of the five rural schools of St. Boniface CE VC Primary School, St. Margaret's CE VC Primary School, St. Wilfred's Catholic VA Primary School, Whippingham Primary School (all through amalgamation) and Chale (outright).</p> <p>The Chairman outlined the rationale for the proposed award of competition for the five new secondary schools and one primary school. He outlined to members that each individual proposal met the Island's education vision and competition specification, and also how the proposals collectively demonstrated diversity of provision for the Island as a whole.</p> <p>Members agreed that the recommendation regarding Chale CE VC Primary School where governors could, within two months of the proposed Cabinet decision, investigate the possibility of federating with another primary school, was the correct way forward. However it was further noted that pupil numbers were low and those pupils of Chale who currently use the school were eligible for free transport,</p>

	<p>which would remain if they transferred to a neighbouring school. It was further noted that whilst the latest Ofsted results for Chale were good, they were not as good as that of Niton and Brighstone.</p> <p>The Chairman indicated that the decisions regarding Weston Primary School and All Saints CE VC Primary School may be subject to future review, given the over provision of primary places in the West Wight area. He suggested that such a review could take place when a new build is considered for primary provision on the West Wight Middle School site.</p> <p>The Chair of Scrutiny suggested that subject to the final approval by Cabinet, the roles of all future Local Authority Governors could be reviewed with a view to appointing suitably qualified individuals who have a strong grounding in local business and possibly possess experience in teaching. The Chairman suggested that full training for Local Authority Governors could also be made mandatory.</p> <p>At the conclusion of the item and subject to final approval, the Chairman thanked all members and officers that had been involved in the schools reorganisation and reminded everyone that this was just the start of the process and that there was still much work to do. It was duly noted that particular thanks were given to Keith Simmonds and Alex Moffat of the Children and Young People Directorate for their hard work as well as Mandy Thomas of Committee Services for her clerking duties at the meeting of the Full Council on 30 September 2009.</p>
<p><b>Decision taken</b></p>	<p>(i.) THAT sufficient and appropriate consultation has been undertaken in respect of the school re-organisation and that the Local Authority, as decision maker, should proceed to determine the approval, modification, rejection or withdrawal of the statutory proposals in respect of each school and the award of the competition in respect of each school competition.</p> <p>(ii.) THAT decisions in respect of the approval, modification, rejection or withdrawal for each statutory notice for the closure, establishment, expansion or other prescribed alteration of a school be agreed as follows:</p> <p><b><u>NEWPORT AREA</u></b></p> <p><b>1. Downside Middle School (Furrlongs &amp; Kitbridge campuses)</b></p> <p>Approve and implement the statutory proposal to discontinue the school.</p>

**2. Nodehill Middle School**

Approve and implement the statutory proposal to discontinue the school.

**3. Carisbrooke High School**

Approve and implement the statutory proposal to discontinue the school.

**4. Medina High School**

Approve and implement the statutory proposal to discontinue the school.

**5. Newport (Carisbrooke) Secondary School**

Approve and implement the award of the competition to establish a new secondary school.

Award the competition for the school to Medina Innovation Trust (MIT) as a Foundation / Trust school (in a federation with Newport (Fairlee) Secondary School).

**6. Newport (Fairlee) Secondary School**

Approve and implement the award of the competition to establish a new secondary school.

To award the competition for the school to Medina Innovation Trust (MIT) as a Foundation / Trust school (in a federation with Newport (Carisbrooke) Secondary School).

**7. Arreton St George's CE VC Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school (in a federation with Oakfield CE VA Primary School).

**8. Barton Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**9. Carisbrooke CE VC Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**10. Hunnyhill Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**11. Newport CE VA Primary School**

Approve and implement the statutory proposal to

increase the upper age limit of the school and enlarge the school.

**12. Nine Acres Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**13. St. Thomas of Canterbury Catholic VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school (in a federation with St Mary's Catholic VA Primary School).

**14. Summerfields Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**COWES AREA**

**15. Solent Middle School**

Approve and implement the statutory proposal to discontinue the school.

**16. Somerton Middle School**

Approve and implement the statutory proposal to discontinue the school.

**17. Cowes High School**

Approve and implement the statutory proposal to discontinue the school.

**18. Cowes Secondary School**

Approve and implement the award of the competition to establish a new secondary school.

Award the competition for the school to Cowes Pathfinder Partnership (CPP) as a Foundation / Trust school.

**19. Cowes Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**20. Gurnard Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school, enlarge the school and increase the admission number of the school.

**21. Love Lane Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**22. Northwood Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**EAST COWES AREA**

**23. Osborne Middle School**

Approve and implement the statutory proposal to discontinue the school.

**24. East Cowes Primary School**

Approve and implement the statutory proposal to discontinue the school.

**25. Whippingham Primary School**

Approve and implement the statutory proposal to discontinue the school.

**26. New East Cowes Primary School**

Approve and implement the award of the competition to establish a new primary school.

Award the competition for the school to EWO Community School Group (EWOCSG) as a Foundation / Trust school.

**27. Holy Cross Catholic VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**RYDE AREA**

**28. Bishop Lovett CE VC Middle School**

Approve and implement the statutory proposal to discontinue the school.

**29. Mayfield CE VC Middle School**

Approve and implement the statutory proposal to discontinue the school.

**30. Swanmore Middle School**

Approve and implement the statutory proposal to discontinue the school.

**31. Ryde High School**

Approve and implement the statutory proposal to discontinue the school.

**32. Ryde Secondary School**

Approve and implement the award of the competition to establish a new secondary school.

Award the competition for the school to Academies Enterprise Trust (AET) as an Academy.

**33. Binstead Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**34. Dover Park Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**35. Haylands Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**36. Greenmount Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school, enlarge the school and increase the admission number of the school.

**37. Oakfield CE VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school (in a federation with Arretton CE VC Primary School).

**38. St. Mary's Catholic VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school (in a federation with St Thomas of Canterbury Catholic VA Primary School).

**39. Wootton Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**EAST WIGHT AREA**

**40. Forelands Middle School**

Approve and implement the statutory proposal to discontinue the school.

**41. Bembridge CE VC Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge

the school.

**42. Nettlestone Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**SANDOWN / SHANKLIN AREA**

**43. Lake Middle School**

Approve and implement the statutory proposal to discontinue the school.

**44. Sandham Middle School**

Approve and implement the statutory proposal to discontinue the school.

**45. Sandown High School**

Approve and implement the statutory proposal to discontinue the school.

**46. Sandown Secondary School**

Approve and implement the award of the competition to establish a new secondary school.

Award the competition for the school to Academies Enterprise Trust (AET) as an Academy.

**47. Sandown CE VC Primary School**

Approve and implement the statutory proposal to discontinue the school.

**48. St. John's CE VC Primary School**

Approve and implement the statutory proposal to discontinue the school.

**49. Sandown / St John's Amalgamated CE VC Primary School**

Approve and implement the statutory proposal to establish a new Church of England Voluntary Controlled school.

**50. Broadlea Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**51. Gatten and Lake Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**52. Newchurch Primary School**



Approve and implement the statutory proposal to increase the upper age limit of the school.

**53. Shanklin CE VC Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school.

**VENTNOR / SOUTH WIGHT AREA**

**54. Ventnor Middle School**

Approve and implement the statutory proposal to discontinue the school.

**55. Chale CE VC Primary School**

Approve and implement the statutory proposal to discontinue Chale CE VC Primary School with the undertaking that if a federation proposal is put forward within two months of the Cabinet decision, a Cabinet Member delegated decision would be made forthwith to determine whether such a proposed federation was viable and in line with Council policy, and if so that revocation proposals would be published without delay.

**56. St. Boniface CE VC Primary School**

Approve and implement the statutory proposal to discontinue the school.

**57. St. Margaret's CE VC Primary School**

Approve and implement the statutory proposal to discontinue the school.

**58. St. Wilfred's Catholic VA Primary School**

Approve and implement the statutory proposal to discontinue the school.

**59. New CE / Catholic VA Ventnor Primary School**

Approve and implement the statutory proposal to establish a new Voluntary Aided Catholic & Church of England primary school.

**60. Niton Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**WEST WIGHT AREA**

**61. West Wight Middle School**

Approve and implement the statutory proposal to discontinue the school.

**62. All Saints CE VC Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**63. Brighstone CE VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**64. St. Saviours Catholic VA Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

**65. Weston Primary School**

Approve and implement the statutory proposal to increase the upper age limit of the school and enlarge the school.

- (iii.) THAT in respect of the award to any secondary school with Academy status the statutory proposals to establish the new secondary schools are modified to show the opening date of each school to be the 1 September 2011 rather than the published date of 1 September 2010. If this decision is made the statutory proposals to discontinue each High School must also be modified to show a date for closure of 31 August 2011 rather than the published date of 31 August 2010.
- (iv.) THAT officers be authorised to proceed, subject to statutory consultation, with the publication of the statutory notices to increase the upper age limit from 9 years of age to 11 years of age for Brading CE VC Primary School, St Helens Primary School, Shalfleet CE VC Primary School and Yarmouth CE VA Primary School. Following the statutory representation period and due consideration of any representation received, that the decision to approve, modify, reject or withdraw these four statutory notices is made by Cabinet member delegated decision.
- (v.) THAT an additional £400,000 of funding to meet the annual costs of a closed primary home to school lift is provided. The funding to be achieved by the re-direction of budget resources released within the Directorate of Children and Young People by service re-structuring to meet the needs of the new school system.
- (vi.) THAT all Local Authority governors in primary schools are made as new appointments on the decision to

	<p>implement the new school system.</p> <p>(vii.) THAT the provision of Call In for the School Organisation – Decision on the Statutory and Competition Notices ref 37/09 be disapplied.</p>
<p><b>Reason for the decision and corporate objective it aligns with</b></p>	<p>To raise the educational standards and provide wider opportunity for all young people of the Island. The competition awards to achieve the best match to the Islands Educational Vision and the specification of the competition ensuring both immediate gains in standards together with long term sustainability and quality.</p> <p>This is not only essential to the securing of young peoples future but also staying safe, enjoying and achieving, making a positive contribution and their economic wellbeing but is also integral to the economic regeneration of the Island and complies with the Every Child Matters and One Island council improvement plan initiatives.</p> <p>To align with the corporate themes:</p> <ul style="list-style-type: none"> <li>• A healthy and supportive Island</li> <li>• A safe and well-kept Island</li> <li>• An inspiring Island</li> <li>• A thriving Island</li> <li>• A modern Council</li> </ul>
<p><b>Options considered and rejected</b></p>	<p>Option A - To determine that there had been insufficient or appropriate consultation and/or that the statutory notices do not comply with statutory requirements.</p> <p>Option F - To determine not to proceed with the publication of statutory notices for expansion from a 4-9 age range to one of 4-11 in respect of Brading CE VC Primary School, St. Helen's Primary School, Shalfleet CE VC Primary School and Yarmouth CE VA Primary School.</p> <p>Option H - To determine not to approve the £400,000 additional funding for a closed primary home to school lift for the proposed new school system.</p>
<p><b>Declarations of Interests</b></p>	<p>Cllr Abraham declared a personal interest as he was an Associate of 2 members of the EWO Community School Group bid and also a family member in the education system and Governor of Wootton Primary School.</p> <p>Cllr Bingham declared a personal interest as he was an associate of 2 members of the EWO Community School</p>

	<p>Group bid.</p> <p>Cllr Brown declared a personal interest as he was an associate of 2 members of the EWO Community School Group bid.</p> <p>Cllr Cousins declared a personal interest as he was an associate of 2 members of the EWO Community School Group bid.</p> <p>Cllr Giles declared a personal interest as he was an associate of 2 members of the EWO Community School Group bid.</p> <p>Cllr Pugh declared a personal interest as he was an associate of 2 members of the EWO Community School Group bid.</p>
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<b>Agenda item</b>	<b>Islandwide Speed Limit Policy</b>
<b>Decision reference</b>	<b>38/09</b>
<b>Summary of Discussion</b>	<p>The Cabinet considered the report that sought agreement on the setting of localised speed limits within the Island, which in turn would allow the council to carry out its legislative duty of reviewing and implementing more uniform speed limits on A and B roads by 2011.</p> <p>The Deputy Leader raised some concerns over the funding of the policy and questioned whether it was something the council would do if the Department for Transport (DfT) had not requested it.</p> <p>The Director of Environment and Neighbourhoods responded by stating the Council would be looking to implement such a policy owing to the continuing problem of speeding on Island Roads. However, whilst £50,000 had already been allocated to the project, the remaining bid for £200,000 of funding was seen as a maximum figure which may not be required in full after the review had taken place. Further funding would also be subject to review at the end of the year prior to the 2010/11 budget being agreed in February 2010 and if the policy was identified as a top priority, it would be funded at the expense less priority items.</p> <p>It was noted that with 47% of Island residents concerned at speeding motorists, the policy would be welcomed.</p>

<b>Decision taken</b>	THAT the policy for setting local speed limits be adopted.
<b>Reason for the decision and corporate objective it aligns with</b>	<p>To improve road safety thus encouraging the use of roads by more sustainable means of transport such as walking and cycling.</p> <p>To reduce the number of people killed or seriously injured by 40% and the number of children killed or seriously injured by 50% by 2010</p> <p>To support the Eco Island themes as well as align with the corporate themes:</p> <ul style="list-style-type: none"> <li>• A healthy and supportive Island</li> <li>• A safe and well-kept Island</li> </ul>
<b>Options considered and rejected</b>	Option B - Cabinet does not agree to adopt the policy for setting local speed limits
<b>Declarations of Interests</b>	None declared

<b>Agenda item</b>	<b>Delegated Decisions</b>
<b>Decision reference</b>	<b>39/09</b>
<b>Questions</b>	Cabinet was advised that there had been no delegated decisions taken since the last Cabinet meeting on 1 September 2009
<b>Declarations of Interests</b>	None declared

<b>Agenda item</b>	<b>Members Question Time</b>
<b>Decision reference</b>	<b>40/09</b>
<b>Questions</b>	No questions had been submitted.
<b>Declarations of Interests</b>	None declared