

Education Scrutiny Committee

Meeting to be held on Friday 25 January 2013

Electoral Division affected: Wyreside
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Out Rawcliffe Church of England Primary School

Annex 'A' refers

Contact for further information:

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Executive Summary

On 11 January 2013 the Cabinet Member for Children and Schools received a report on a proposal to close Out Rawcliffe Church of England Primary School.

After considering the report the Cabinet Member decided to:

"approve (determine) the proposal as detailed in the statutory notice: to discontinue Out Rawcliffe Church of England Primary School on 31 August 2013."

Following requests from five County Councillors in accordance with the Overview and Scrutiny "Call In" procedures, the Chair has called a special meeting of the Committee to consider calling in the above decision.

Recommendation

In accordance with the Call In procedures contained in Procedural Standing Orders (Standing Order 23 and Appendix 3) the Committee is asked to consider:

1. Whether or not to request the Cabinet Member for Children and Schools to reconsider the decision made on 11 January 2013 to discontinue Out Rawcliffe Church of England Primary School on 31 August 2013.
2. If the Committee decide to request that the decision should be called in then to determine the grounds on which the request is to be based.

Background and Advice

On 11 January 2013 the Cabinet Member received a report on the closure of Out Rawcliffe Church of England Primary School. A copy of the report is attached as **Annex 'A'**.

After considering the report the Cabinet Member decided:

"to discontinue Out Rawcliffe Church of England Primary School on 31 August 2013"

On 16 January 2013 the Chief Executive received a request, signed by five County Councillors, for the Education Scrutiny Committee to consider whether that decision should be the subject of a Call In. The request was received in accordance with Procedural Standing Orders from County Councillors Vivien Taylor, Geoffrey Roper, Andrea Kay, Jim Lawrenson and Stan Leadbetter and means that the decision taken on 11 January 2013 cannot now be implemented until the call-in procedure is completed.

The reasons given for the request as submitted by the above Members are:

- 1) Information provided by Action Group for initial consultation period was not considered by Cabinet member as this was not forwarded by officers – Action Group contacted LCC to confirm that they would resend the initial information however were informed by LCC that this would not be required, and therefore a significant amount of information was not available for consideration by the Cabinet Member
- 2) Information provided by LCC to Governing Body re type of Federation the school could become was incorrect and therefore the Governing Body could not provide the relevant information for LCC consideration for future of school
- 3) LCC commented in the report that they had only received 2 objections to the closure plus letters from the Chair of Governors and Headteacher when in fact 126 letters of objection to the proposed closure, plus a petition with over 1000 signatures, plus a proposal for a Nursery and letters of support for the school from the people who would run the Nursery, plus information detailing the proposed year on year headcount increase, plus information detailing approved planning permission for 14 units to be built within Out Rawcliffe had been provided
- 4) The LCC report recommending closure of the school stated that there was no evidence of community based activity by the school. Community activity was provided for the initial consultation and not forwarded to the Cabinet Member

To assist the Committee, the Call In procedures contained in Procedural Standing Orders (Standing Order 23 and Appendix 3) are summarised below:

- Any five County Councillors may, within three days of an executive decision being published, request that a special meeting of the relevant Overview and Scrutiny Committee be convened to consider that decision.
- The executive decision shall not be implemented until the Call In procedure is completed.
- An O&S Committee may request that an executive decision made but not yet implemented be reconsidered by the Decision Maker, or request that the Full Council decide whether to ask the Decision Maker to reconsider.

- The Committee must decide at the meeting whether or not to exercise its Call In powers.
- Any such request for reconsideration shall include the grounds upon which the request is based.
- Once the Committee has determined to make such a request, the request and the grounds upon which it is based must be registered with the Chief Executive in writing within three clear working days of the O&S Committee.
- If a request is made the Decision Maker must then reconsider the decision having regard to the grounds upon which it is based. The Decision Maker can affirm, amend or rescind their decision.
- The Decision Maker shall publish their response to a request for reconsideration and the reasons for their decision by writing as soon as is reasonably practicable to the Chair of the relevant Overview and Scrutiny Committee.
- The Decision Maker can only be required to reconsider the same decision once.
- An Overview and Scrutiny Committee shall not exercise its functions;
 - (1) where the decision has been designated by the Decision Maker as being urgent in that any delay in its implementation could adversely affect the efficient execution of the County Council's responsibilities; or
 - (2) in respect of day-to-day management and operational decisions taken by officers.

Of particular relevance in the above provisions are the requirements that the Committee must determine at the meeting whether or not to request that the decision be reconsidered, and if so to determine the grounds upon which the request is to be based.

The Committee is required to meet within 7 working days of the request being received in order to consider the call and following consultations with the Chair and Deputy Chair a special meeting has been arranged for Friday 25 January 2013 at 10;30am in Cabinet Room D at County Hall, Preston.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant risk management implications arising from this item. However, the risk management and other implications associated with the decision are set out in Annex A to this report.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Tel
"Out Rawcliffe Church of England Primary School" Report to Cabinet Member for Children and Schools	11 January 2013	Katrina Dale, Office of the Chief Executive, 01772 533651

Reason for inclusion in Part II, if appropriate

N/A