

<b>REPORT TO:</b>	<b>CHILDREN AND YOUNG PEOPLE SCRUTINY SUB-COMMITTEE 9 July 2013</b>
<b>AGENDA ITEM:</b>	<b>8</b>
<b>SUBJECT:</b>	<b>CALL-IN: EDUCATION ESTATES STRATEGY</b>
<b>LEAD OFFICER:</b>	<b>Julie Belvir Director of Democratic &amp; Legal Services</b>
<b>CABINET MEMBER:</b>	<b>Cllr Tim Pollard, Cabinet Member for Children, Families and Learning</b>

<b>ORIGIN OF ITEM:</b>	The decision by the Cabinet Member has been called-in by fourteen Members of the Council.
<b>BRIEF FOR THE COMMITTEE:</b>	To consider and respond to the Call-In in accordance with the procedure set out in the Council's Constitution.

## **1. EXECUTIVE SUMMARY**

- 1.1 The decision taken by the Cabinet Member for Children, Families & Learning on 17 June 2013 on the ***Education Estates Strategy*** has been called in by sixteen Members of the Council. Attached as "Attachment A" is the report to the Cabinet Member on 17 June 2013, which outlines the details of the decision and the options considered. The completed call-in pro-forma is attached as "Attachment B", and includes the reasons given for the call-in.

## **2. CALL-IN: PROCUREMENT OF THE EDUCATION ESTATES STRATEGY**

- 2.1 Cabinet considered a report by Paul Greenhalgh, Executive Director for Children, Families & Learning on the Education Estates Strategy on 17 June 2013. The report is attached as "attachment A".

- 2.2 These are the Cabinet decisions which have been called in:

1) To note the demand update and the Council's success in securing £63M over two years from the Department for Education towards the estates programme.

2) To note the outcomes of the consultations regarding proposals to establish by September 2014, a new secondary school in South Norwood – Arena/CALAT- sites and agree to proceed to the feasibility stage – application for planning permission and development of detailed design plans to establish those schools.

3) To agree to the proposed supply strategies for the 2014-15 and 2015-16 education years and proceed with a statutory consultation for permanent expansions and new schools as follows:

New schools on the following sites: site adjacent to Spices Yard, Westways House, 843 London Road, Victoria House, SeGAS House, and a site near to West Thornton Primary Academy\*.

2.3 The decision was called-in on 23 June 2013 by the following Members of the Council:

- Cllr Sean Fitzsimons
- Cllr Patricia Hay-Justice
- Cllr Carole Bonner
- Cllr Tony Newman
- Cllr Simon Hall
- Cllr Alison Butler
- Cllr Wayne Lawlor
- Cllr Paul Smith
- Cllr Pat Ryan
- Cllr Paul Scott
- Cllr Raj Rajendran
- Cllr Alisa Flemming
- Cllr Bernadette Khan
- Cllr Stuart Collins
- Cllr Donna Gray
- Cllr Matthew Kyeremeh
- Cllr Maggie Mansell

2.5 The reasons given for the call-ins, the outcomes desired and the information required are detailed in the completed call-in pro-forma, which is attached as "Attachment B".

2.6 The call-in requested that additional information be provided. This information was not available in time to be attached to this report but will be published prior to the meeting.

### **Call-In Procedures**

2.7 The Council's constitution states:

1.05 (iii) If the scrutiny of Health Services, Crime and Disorder matters or the duties and functions of the Council as a Local Education Authority are delegated to a Sub-Committee, that Sub-Committee shall have sole power to scrutinise that matter included within its terms of reference and may report direct to the Cabinet, Full Council, non-executive Committee, partner agency or partnership board on such matters.

11.09 At the meeting, the referral will be considered by the Committee which shall determine how much time it will give to the call-in and how the item

will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.

- 11.10 The (Children and Young People Scrutiny Sub-Committee) may refer the decision to the Council if it considers that the decision taken by the Leader or Cabinet is outside the Budget and Policy Framework of the Council. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.
- 11.11 If the (Children and Young People Scrutiny Sub-Committee) decides that no further action is necessary then the decision may be implemented.
- 11.12 If the Council determines that the decision was within the Policy Framework and consistent with the Budget, it will refer any decision to which it objects, together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either, amend, withdraw or implement the original decision within 10 working days, or at the next meeting of the Cabinet after the referral from the Council.
- 11.13 The responses of the decision-taker and the Council shall be notified to all Members of the (Children and Young People Scrutiny Sub-Committee) once the Cabinet or Council has considered the matter and made a determination.
- 11.14 If either the Council or the (Children and Young People Scrutiny Sub-Committee) fails to meet in accordance with the Council calendar or in accordance with paragraph 11.08 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.

#### **Attachments**

- Attachment A: Report to Cabinet Member for Children, Families & Learning, **Education Estates Strategy**, 17 June 2013
- Attachment B: Completed call-in proforma, 23 June 2013

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**BACKGROUND DOCUMENTS:** None