

26 April 2012

Brighton & Hove City Council

Subject:	School Admission Arrangements for 2013/14 – Extract from the proceedings of the Children & Young People Cabinet Member Meeting held on 4 April 2012		
Date of Meeting:	26 April 2012		
Report of:	Strategic Director; Resources		
Contact Officer:	Name:	Mark Wall	Tel: 29-1006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

BRIGHTON & HOVE CITY COUNCIL**CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING****1.00pm 4 APRIL 2012****COMMITTEE ROOM 3, HOVE TOWN HALL****MINUTES****Present:** Councillor Shanks (Cabinet Member)**Also in attendance:** Councillors A Norman and Mitchell**Other Members present:** Councillor Littman**PART ONE****43. PROCEDURAL BUSINESS****43(a) Declarations of Interests**

43.1 There were none.

43(b) Exclusion of Press and Public

43.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(I) of the Act).

43.3 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any item on the agenda.

44. ITEMS RESERVED FOR DISCUSSION**44a Purpose of the Meeting**

- 44.1 The Managing Principal Lawyer and Legal Adviser to the meeting stated that she considered it would be helpful if she clarified the purpose of the meeting and set out the parameters of its decision making at the outset.
- 44.2 On 22 March full Council considered the admissions arrangements for the city. Admissions arrangements were specifically reserved to full council under the constitution. Today's meeting had been called in response to concern expressed at full council on 22 March, that there might be grounds to reconsider whether or not the boundary of the catchment area for Varndean/Dorothy Stringer should remain the same.
- 44.3 At Cabinet on 15 March 2012 it had been resolved that the proposal to alter the boundary between the catchment areas for Dorothy Stringer/Varndean and Blatchington Mill/Hove Park not be adopted for 2013/14, but be postponed until 2014/15 to allow for a wider consultation to take place, and that the existing boundary be retained for 2013/14.
- 44.4 At full Council on 22 March the admissions arrangements were adopted with the boundary remaining the same.
- 44.5 However, in the light of the concern expressed that this issue needed to be looked at in more depth, it was agreed to convene a special CMM where this specific issue would be the sole agenda item. Members had before them the appendices and report which went to full Council and the Cabinet Member could consider whether there was information which warranted looking at this issue again. Thus the Cabinet Member would need to decide having considered the report (Item 51 on that afternoon's agenda) whether or not to resolve to recommend to full Council to redraw the boundary for the Dorothy Stringer/Varndean and Blatchington Mill/Hove Park catchment area for school admissions in 2013/14. Whilst in no way wishing to pre-empt the decision of the Cabinet Member, but in order to be clear about the parameters of this meeting and next steps, in the event that this was the resolution of the Cabinet Member, this meeting did not have the power to change the boundary, it had the power to recommend that this was an agenda item at full Council and to recommend to full Council that the boundary should be changed. It would then be a matter for full Council as to whether or not to resolve that the boundary was changed for admissions in 2013/14.
- 44.6 The issue then arose as to how and when full Council could be convened. By regulation Local Authority's were required to set their admissions criteria by 15 April 2012. If this boundary was to be reconsidered this meant that to comply with regulations the latest that this could be considered by full Council on 12 April. This would require there to be a Special Council called at short notice, which would require the agreement of 6 Members or the Mayor or the Chief Executive. It would be most unfortunate if a specially convened meeting was to be held on or before 12 April as it would have to be on short notice and fell during the school holidays. A full Council meeting was already scheduled for 26 April. Were this item to go to that agenda, then it would mean the Local Authority would be late by 10 days in setting the admissions criteria, but it would also mean that proper notice of the meeting could be given, and it would take place in term time when parents were more likely to be aware of it. Since the admissions criteria related to 2013/14 and all other issues relating to admissions had been agreed, on balance she

considered that it would be reasonable to delay setting the criteria for 10 days and to ensure that the public and members would have proper notice of the meeting.

- 44.7 If the view was reached that there was no need to reconsider the current boundary, the above advice would not apply, it was considered however, that it would be helpful to set out the parameters of the meeting at the start.

44b Items Reserved for Discussion

- 44.8 **RESOLVED** – That all items be reserved for discussion.

45. PUBLIC QUESTIONS

- 45.1 There were none.

46. PETITIONS

- 46.1 The Cabinet Member for Children and Young People considered the following petitions which were set out in circulated report of the Strategic Director, Resources. Each petitioner had a period of up to three minutes to amplify on their petitions.

46(a) Petition – Change to Dorothy Stringer/Varndean Catchment Area to Include East of Dyke Road for 2013/14 Intake, do not postpone the Decision Until 2014/15

- 46.2 Ms Sylvester presented a petition signed by 317 people as set out below and referred from the meeting of Council held on 22 March 2012: Ms Sylvester stated that since the meeting of Council she had collected more signatures and that the total now stood at 517 and growing, now around 1,200.

“We the undersigned petition the Council:

As Brighton and Hove City Council have already highlighted there are issues for children travelling to Hove Park. They are not able to attend extra curriculum clubs and socialise with their peers after school. We want our children to be able to walk to their local schools and remain in their community. There is no point in postponing this decision as it is just delaying the solution and affecting the education of even more people in the process. To give us hope and an opportunity to consult on this issue and then to delay the decision and deny the current Year 5 students this option would be unfair! A decision needs to be made now! “

- 46.3 Ms Sylvester thanked the Cabinet Member for agreeing to hold the special meeting. She explained that she was presenting the petition in favour of expanding the Dorothy Stringer/Varndean catchment area to the east Dyke Road for September 2013 as this decisive action would allow their community's children to walk to Brighton schools rather than having to cross the city by bus to Hove. She and those supporting her petition considered that the straightforward changes proposed would result in the following benefits:

- give local children access to local schools they can see from their homes
- increase the number of children walking/ cycling to school, thereby, meeting the council's sustainability priorities

- enable children to attend after-school clubs at their secondary school
- be mindful of a local community's need to stay together
- give more children the chance to make the transition to secondary school with friends
- cut down on pollution and improve fitness
- alleviate mounting pressure on school places in Hove secondary schools
- reduce the time, cost, resource and grave anxiety associated with appeals and further consultation

46.4 The petition showed that there was overwhelming support in the area affected and that it continued to grow. they believed that there was a clear mandate to change the boundary for the 2013/14 secondary school intake, it represented a sensible decision. Decisions were not made on referendums, however, these issues had been raised previously, five years ago and it was hoped that they would be listened to now. Ms Sylvester quoted from the Council's own consultation document which stated that:

"..experience has shown that families living between the railway line and Dyke Road find travelling to Hove Schools (particularly Hove Park Lower School) problematic. The council currently supports a bus service..., but any child relying on this service is unable to attend after school activities."

46.5 Ms Sylvester stated that in the petitioners view sending children to their fifth and sixth closest schools made no sense. This boundary change would not solve the citywide school place issue, but would be a quick and effective way of taking action on Hove's ticking school place timebomb. It would avoid the brinkmanship involved the following year when places were predicted to have run out. It was also a well-timed and useful way to correct an anomaly which had caused an entire community great difficulty, the petitioners believed that the numbers stacked up and that there would be sufficient places in the Dorothy Stringer/Varndean catchment area.

The petitioners believed the numbers stacked up because:

- this boundary change was originally proposed by the council!
- places at Dorothy Stringer had been increased to 330
- Varndean had placed 54 children out of catchment this year
- Cardinal Newman would continue to hive off a proportion on children
- If a sibling link was honoured in this area, to help families who already have children in Hove schools, it would reduce any initial impact
- Concerns over numbers could be addressed by limiting the area affected to Map 1.

46.6 The consultation proposal had looked at returning people to the catchment that they campaigned to keep five years ago. It was the natural choice for this slice of Brighton; families with sight of Brighton schools. There were children in Year 5 waiting to hear if they will be able to walk to a school in a familiar neighbourhood. Their lives would be changed for the better by a simple boundary change from this consultation. If a positive change was made now without delay.

46.7 The Cabinet Member thanked Ms Sylvester for her petition advising her that she would receive a copy of the minutes of the meeting in due course.

46.8 **RESOLVED** – That the petition be received and noted.

46(b) Petition-Opposition to Proposed Boundary Changes: Dorothy Stringer/Varndean Catchment Area to Include East of Dyke Road for 2013/14

46.9 Mr Graham-Rowe presented a petition signed-by 22 people stating that:

We the undersigned request:

“In response to the campaign in favour of moving the Dorothy Stringer/Varndean catchment to include families living east of Dyke Road we invite you to sign our petition opposing this change. There has been a lot of misinformation put out about this complex issue and we encourage you to (read on) and hear the other side. There is an assumption that all Stanford parents should support these changes, but actually if this goes ahead it will have a negative impact on many children attending Stanford. So please help. Rather than vilifying local schools we should be giving them support and addressing the issues that will help improve them.”

46.10 Mr Graham-Rowe stated that unfortunately this issue had split the community. Many of the comments parents had made to support their reasons for wanting the boundary moved his petitioners agreed with. Everyone wanted local community secondary school their children could go to after leaving Stanford Juniors. In an ideal world this local school would be in a central location to the Hove/Brighton border and all children from Stanford would be in the same catchment. All the Stanford children could walk to this school together in the morning and get home safely on foot after their afterschool clubs, even in the cold dark winter months. However, realistically there was no such school (unless Cardinal Newman suddenly had a change of policy). A number of parents had always been aware of and accepted the catchment area that they lived in and had openly accepted that their children would go to one of the secondary schools in that catchment area, along with a reasonable number of their peers/friends from Stanford. However, many parents from Stanford weren't willing to accept the catchment area that they were in but at the same time were unwilling to move. He considered that this wish to move the catchment might be beneficial to them but would actually have a negative impact on children who fell outside the proposed boundary extension.

46.11 He considered that most of the parents petitioning hard to get the boundary changed were doing so as they didn't want their children to go to Hove Park School. Not just because it is far away but because they believed it was not good enough for their children. Their wish not to have their child go to Hove Park would mean that the children at Stanford who do not live in the proposed extension catchment area would not only have to travel a long distance to Hove Park but do so with few if any friends. He knew this was the case as he already has a daughter at Hove Park, allocated a place in Hove Park by the lottery system, when all her friends got Blatchington Mill. He strongly supported the lottery system, but the fact was that she was having a very difficult time there as all the other children have arrived there in big groups of friends from the surrounding schools and she is the odd one out. If the boundary goes ahead it is very likely that this will happen again for their second daughter regardless of whether she got into Blatchington Mill or Hove Park as she only had one friend from Stanford who lived beyond the proposed extension. As feelings had been running so high many parents with an opposite view had felt intimidated and had either been unwilling to sign or had wanted to sign anonymously. He wished to point out that the petition which had been set

up to by a handful of mothers that either did not work or did so part-time. He on the other hand worked full time and couldn't compete with the amount of time he could invest in this petition. Besides collecting signatures from parents they had been knocking on doors collecting signatures from people with no children, who had no clue or even interest in repercussions of these changes.

46.12 The Cabinet Member thanked Mr Graham-Rowe for his petition advising him that he would receive a copy of the minutes in due course.

46.13 **RESOLVED** – That the petition be received and noted.

47. DEPUTATIONS

47.1 The Cabinet Member considered two Deputations as set out below. Each depute had a period of up to five minutes to speak to their Deputation.

47(a). Deputation in Support of Considering and Making Changes to the Proposed Boundary Extension (in Support of the Petition Received at Council on 22 March 2012)

47.2 Ms Sylvester presented the following Deputation in support of making changes to the catchment area boundary for Dorothy Stringer/Varndean for 2013/14 to take in an area to the East of Dyke Road.

47.3 Ms Sylvester stated that she had sympathy with anyone making decisions relating to school places. Clearly, you were never going to please all the people, all the time. However, she urged that consideration be given to the overwhelming support for this boundary change from families who actually lived in the area affected, between the railway line and Dyke Road. Her group represented the majority view.

Inevitably, people objecting to the change live outside of the area and generally fall into one of two categories:

1. they were concerned about protecting places at Dorothy Stringer and Varndean or,
2. they had an older child already at a Hove school and wanted to secure a friendship group for their younger child, even if this meant an entire community traversing the city to keep them company.

47.4 Whilst these motivations were understood they did not take account of the implications for the local community, nor the developing picture for the city's schools where there was more room in one catchment (Dorothy Stringer/Varndean) and increasing pressure on another (Hove Park/Blatchington Mill). It had been suggested that this boundary change would cause division. Stanford Juniors was divided. It was slap-bang on the catchment boundary and had 96 children split between 11 different schools and had had to deal with up to 20 appeals in past years. Division and dissatisfaction exist already existed. It was tough on families and unbearable for children, split from friends and sent miles from their community. This boundary change would redress the balance, sending more Brighton children to Brighton schools. The boundary change dealt mainly with the Port Hall area however, going forward, the future Stanford school community was only likely to be the Port Hall area because of a dramatically shrinking catchment. The

previous year, families living roughly 600 metres away from the Infants School in Chatsworth Road, within Port Hall itself, had been denied places. Families keen for their children to go to Hove schools with larger friendship groups would have them – from the Hove junior schools they would be attending. Sending children from this community to Hove schools would make even less sense in the future.

- 47.5 The bus service from the area to Hove schools was inadequate and children could not participate in after school clubs. There was a misconception that a further influx of Stanford School families would fix an issue that had not been successfully addressed for five years, the solution was that the solution proposed by the council to send our local community back to local secondary schools. Local children would have an opportunity to walk, in groups, along safe routes to their closest schools. It would be naïve to imagine that there won't be *occasional* car runs, however, this paled into insignificance compared to daily bus journeys and car journeys of double the distance to pick up children stranded over in Hove. This did not amount to vilifying schools that they could not walk to. Essentially, the neighbouring dual catchment areas were not very different. They each had one school that had traditionally performed reasonably well and another that was improving. If their calculations were correct, primary schools in Hove had been expanded to take an additional 270 children this year. These children were going to need secondary school places. Just as bussing in 277 children from over three miles away to Cardinal Newman on their doorstep was irritating, they wouldn't blame the Hove community for feeling the same way about them. Her group had done their best to engage direct people to the council's consultation and make their views known. There was heartfelt support for this boundary change. However, the boundary change wouldn't just help this particular community; it would deliver outstanding benefits from a sustainability, community and citywide perspective. They wanted their children to walk to their local school, participate in after-school clubs and make the tricky transition to secondary school with friends.
- 47.6 The Cabinet Member thanked Ms Sylvester for her Deputation, the contents of which were received and noted.
- 47.7 **RESOLVED** – That the content of the Deputation be received and noted.
- 47(b) Opposing the Request set out in the Petition Considered at Council on 22 March 2012: The Case for Keeping the existing Boundary**
- 47.8 Mr Graham-Rowe presented the following Deputation in opposition to that requesting changes to the catchment area boundary for Dorothy Stringer/Varndean for 2013/14 to take in an area to the East of Dyke Road as requested by Ms Sylvester.

“We request that the Special Meeting of the Children and Young People's Cabinet Member Meeting vote to keep the existing school catchment boundary for Dorothy Stringer and Varndean, on the grounds that it will not solve any of the problems expressed by parents in the proposed area. Instead it will only serve to isolate some children, hamper efforts to improve public transport to Hove Park and Blatchington Mill, increase traffic between Porthall and Dorothy Stringer, adding to an existing bottleneck on South Road and undermine the very principle of “Every child matters” by creating a two-tier education system. “

47.9 Mr Graham-Rowe re-iterated his earlier comments that it was regrettable that this issue seemed to have split the local community, especially as both groups were broadly in agreement. Mr Graham-Rowe spoke to two circulated A4 sheets in support of his Deputation. He stated that there was a little questioned claim that Dorothy Stringer was the local school for the Port Hall community (but not for those outside Porthall). There were several places in the disputed area where it was true that Dorothy Stringer was the nearest school but equally there were places where Hove Park Upper School and Blatchington Mill were an equal or even shorter walking distance away. By way of example Mr Graham-Rowe stated that he had taken two random addresses within the area were one in Exeter Street and one in Tivoli Crescent and had used Google Maps to chart the estimated walking distance and times to make a crude but illustrative comparison. This information showed clearly that, with the exception of Hove Park Lower School, there was not much difference between the distance of the schools in the two catchments and that the difference in walking time was a matter of a few minutes. The notion that Dorothy Stringer was in any way more “local” was a myth. The fact was that you had to walk (or drive) to Dorothy Stringer and Varndean from the area because there were no buses, not that it was not possible to walk to Blatchington Mill or Hove Park Upper School. The “fly in the ointment” related to Hove Park Lower School.

47.10 The fact that many residents saw Dorothy Stringer and Varndean from their homes was at least partly due to the fact that Porthall was built on a hill rather than due to close proximity. This added to the illusion of the schools being much nearer. It also seemed to have been forgotten that the year before the introduction of the lottery system, there had been much upset in the Port Hall area as several children had not been living close enough to Dorothy Stringer and Varndean to gain places there, they had not been local enough then either.

47.11 The Cabinet Member thanked Mr Graham-Rowe for his Deputation the contents of which were received and noted.

47.11 **RESOLVED** – That the content of the Deputation be received and noted.

48. LETTERS FROM COUNCILLORS

48.1 There were none.

49. WRITTEN QUESTIONS FROM COUNCILLORS

49.1 There were none.

50. NOTICES OF MOTIONS

50.1 There were none.

51. SCHOOL ADMISSION ARRANGEMENTS 2013/14

51.1 The Cabinet Member, Children and Young People considered the re-circulated report of the Strategic Director, People relative to the proposed school admission arrangements for 2013/14. The Cabinet Member explained that the recommendations set out in the original report had been agreed by the meeting of Cabinet held on 15 March and were then forwarded to the meeting of Full Council held on 22 March 2012. At the meeting of

Council held on 22 March agreement had been given to all of the recommendations with the exception of that relating to the consultation process in relation to the boundaries of the catchment areas for Varndean and Dorothy Stringer Schools. In consequence of the comments made by Councillors at that meeting of Council she had agreed to an urgent special Cabinet Member meeting being called in order to consider the points raised.

- 51.2 The Strategic Commissioner, Planning and Contracts, Learning and Partnership gave a presentation by reference to maps, setting out the existing and proposed catchment area boundaries. The area marked yellow indicated the area referred to in the petition submitted requesting that the Dorothy Stringer/Varndean catchment areas be changed to include the area east of Dyke Road for the 2013/14 intake rather than a decision on this matter being postponed until 2014/15 pending the outcome of a further consultation process. The Strategic Commissioner went on to explain that the secondary admissions process had begun in 2006. It had been designed to provide a local school or schools for all children within the city. The system was dependent on the catchment areas “catching” and had been designed for the numbers of children in each area at that time. Random allocation was used as the tie breaker for oversubscription to any school.
- 51.3 The present situation was that although the numbers in the catchment areas had begun to change even in the current year less than 60 children had been directed to schools not identified as one of their preferences. The prime role of the local authority was to provide sufficient places for children within the city. There were at present 2400 secondary places in Year 7, by 2014/15, 2417 places would be needed and it was anticipated that this figure would increase year on year for the foreseeable future.
- 51.4 The proposal under discussion, to increase the Dorothy Stringer/Varndean catchment area for 2013/14 recognised that there had been a change in numbers in the catchment area requiring more places in the Blatchington Mill/Hove Park area. If the proposal was accepted it would balance the numbers in the Blatchington Mill/Hove Park and Dorothy Stringer/ Varndean catchment areas for the immediate future, but would not resolve the long term need for more places in the city as a whole. Whatever secondary catchment areas were determined, children at relevant primary schools would still be going to a wide range of different schools dependant on where they lived, as primary schools were not linked to secondary schools.
- 51.5 Councillor Mitchell stated that it was regrettable that there appeared to be division within the local neighbourhood on this issue and that the qualitative arguments on both sides had not emerged until now, and was of the view that a measured debate needed to take place in relation to the issues raised. Councillor Mitchell sought clarification regarding the manner in which the latest consultation process had taken place considering that it was regrettable that individual households that not been consulted i.e., via a leaflet drop. The Strategic Commissioner explained that although a door to door consultation had not taken place, the consultation process had been publicised by a number of means, several public meetings had also taken place.
- 51.6 Councillor A Norman was in agreement stating that it had become apparent during the 2006 consultation process that information provided via school, did not always reach home and that in consequence parents may not have been fully aware of the consultation process. She considered it unfortunate therefore that the consultation process had not been more exhaustive. The issues raised at Council which had given rise to that afternoon’s special meeting had been raised before and having been raised

again and in the light of the supporting information given, she considered that that this issue should be re-visited. Whilst it was regrettable that there were differing views within the area she supported a re-drawing of the catchment boundary to encompass that shown on the illustrative plans presented at that afternoon's meeting. Hove Park was an improving school, however, transport to the school from the area was inadequate and prevented pupils from the area from engaging fully in activities available at the school, this issue needed to be addressed irrespective of the decision reached.

- 51.7 Councillor Mitchell sought clarification of the potential impact of the changes, also the period for which they would remain in place and whether the provision of a Church of England Secondary school would impact on this. The -- explained that in the case of free/faith schools, the Local Authority had no control over the selection of pupils, they had their own admissions criteria and tended to draw pupils for a wider area than the immediate geographical locality. Admission arrangements, although reviewed annually were designed to have sufficient flexibility to absorb demographic changes over a five year period, the Local authority had to ensure that there were a sufficient number of school places available across the city overall. Councillor Mitchell was in agreement with Councillor Norman that irrespective of any decision reached in relation to the catchment area boundaries, issues raised concerning provision and running times of the school bus needed to be addressed.
- 51.8 Councillor Shanks stated that in her role as Cabinet Member having considered the submissions made and additional information placed before her that afternoon, that she was minded to refer the matter back to the meeting of Council scheduled for 26 April with a recommendation that changes to the existing catchment area boundaries be made to include the area to the east of Dyke Road in the catchment area for Dorothy Stringer/Varndean for 2013/14; with any commensurate changes to the boundaries for Blatchington Mill/Hove Park. Councillor Shanks also sought confirmation whether of any further amendments that would be required and the Strategic Commissioner, confirmed that if the recommendation was agreed, retention of a sibling link for the resulting catchment area would need to be retained for a further five year period.
- 51.9 **RESOLVED TO RECOMMEND:** That approval be given to alter the boundary between the catchment areas for Dorothy Stringer/Varndean and Blatchington/Mill Hove Park for 2013/14 as indicated by the yellow area on the indicative plan; the Dorothy Stringer/Varndean catchment area to include the area to the east of Dyke Road. Commensurate with that the sibling link to be retained for a five year period to expire in 2018/19.

The meeting concluded at 2.00pm