

CALL-IN SUB-COMMITTEE (EDUCATION) MINUTES

2 FEBRUARY 2015

Chair:	* Councillor Barry Kendler	
Councillors:	* Ghazanfar Ali * Jeff Anderson * Marilyn Ashton (1) * Mrs Camilla Bath	* Jo Dooley * Jerry Miles * Janet Mote * Lynda Seymour
Co-optees:	* Mrs J Rammelt	* Reverend P Reece
Parent Governor Representatives:	* Mrs A Khan	
In attendance: (Councillors)	Susan Hall	Minute 5

* Denotes Member present
(1) Denote category of Reserve Members

1. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

Ordinary Member

Councillor Ramji Chauhan

Reserve Member

Councillor Marilyn Ashton

2. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 5 - Call-in of the Cabinet Decision (15 January 2015) –
Determination of Statutory Proposals to Expand Grimsdyke School

Councillor Mrs Camilla Bath declared a non-pecuniary interest in that she was a governor at Harrow High School and St George's Roman Catholic School. She would remain in the room whilst the matter was considered and voted upon.

Councillor Susan Hall declared a non-pecuniary interest in that she was a member of the London Fire and Emergency Planning Authority. She would remain in the room whilst making her representations.

Councillor Jean Lammiman declared a non-pecuniary interest in that she was a governor at Shaftesbury School. She would remain in the room to listen to the discussion.

Councillor Janet Mote declared a non-pecuniary interest in that she was involved in the expansion process at St John Fisher School. She would remain in the room whilst the matter was considered and voted upon.

3. Appointment of Vice Chair

RESOLVED: That Councillor Janet Mote be appointed as Vice-Chair of the Sub-Committee for the remainder of the Municipal Year 2014/15.

4. Protocol for the Operation of the Call-In Sub-Committee (Education)

The Chair drew attention to the document 'Protocol for the Operation of the Call-In Sub-Committee'. He outlined the procedure to be followed at the meeting, and the options open to the Sub-Committee at the conclusion of the process.

In accordance with Committee Procedure Rule 45.5, a notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:-

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision;
- (c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- (d) the action is not proportionate to the desired outcome;
- (e) a potential human rights challenge;
- (f) insufficient consideration of legal and financial advice.

The Chair confirmed with the signatories to the Call in that grounds (a) and (b) had been cited on the Call In notice.

RESOLVED: That the Call-In would be determined on the basis of the following grounds:

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision.

RESOLVED ITEM

5. Call-In of the Cabinet Decision (15 January 2015) - Determination of Statutory Proposals to expand Grimsdyke School

The Sub-Committee received the papers in respect of the Call-in notice submitted by 8 Members of Council in relation to the decision made by Cabinet on the determination of statutory proposals to expand Grimsdyke School.

The Chair advised the Sub-Committee on the suggested order of proceedings and reminded Members of the timings allowed for submissions and questions.

The Chair invited the lead representative of the signatories, Councillor Susan Hall, to present the reasons for the call-in of the decision to the Sub-Committee.

She stated that:

- the school was unique in relation to its location and the issues which impacted on its proposed expansion;
- the objection to the proposed expansion of Grimsdyke School was not related to its performance or reputation. It was recognised as a good school and the need for more school places in the borough was recognised;
- it was felt that there was inadequate consultation on the proposals. Residents within the area who would be affected by the proposals had not received any notification of the proposed expansion. These included residents on Derwent Avenue and Coburn Road;
- of the consultation that did take place, 56% of residents were against the proposed expansion. 70 letters of objections to the proposed expansion had been submitted;
- this Sub-Committee had rarely met over a number of years. This was an indication of the level of objections against the proposed development;

- there were severe traffic problems in the area of Grimsdyke School. There was only access route for all of the houses in that area via Coburn Road and any proposed expansion would only add to the difficulties encountered;
- there were concerns that the traffic issues around Grimsdyke School currently prevented Emergency Vehicles from entering the surrounding roads and this issue would only become worse if the expansion proposals were agreed;
- there was insufficient evidence on which Cabinet based their decision on. There was no evidence provided on how the traffic issues expressed would be mitigated. There was also no consideration given to the responses provided to the proposed expansion and how this would be addressed.

Councillor Simon Brown, Portfolio Holder for Children, Schools and Young People, responded by stating the following points:

- there was a need for more school places in Harrow. It was projected that there would be a big increase in population in Harrow and as a result this would mean more school places were required;
- the Council had a statutory obligation to provide sufficient school places for children in the borough;
- several schools in the borough had already been expanded to deal with this issue. The proposed expansion at Grimsdyke School was part of this programme;
- in relation to consultation, the guidelines issued by the Department for Education had been complied with which was the Council's usual approach. Nearly 350 households had been sent notification of the proposed expansion in properties surrounding Grimsdyke School;
- in addition to this Grimsdyke School had sent notification of the proposed expansion to the parents and carers of pupils who attended the school;
- it was believed that the consultation conducted was wide ranging and the relevant stakeholders had been included;
- in relation to adequate evidence, there was a clear need for school places in the area. In 2013 the 2 reception classes for 60 pupils were filled. There were 58 children from the local area who were not able to be accommodated at Grimsdyke School;
- an extra bulge class was created for the Reception year. This was also filled quickly and again there were local children that the school could not able to accommodate;

- there were 90% of children attending Grimsdyke School who lived within $\frac{3}{4}$ of a mile and 66 % of children who lived within $\frac{1}{2}$ a mile;
- there had to be a balance between traffic issues, creating school places for extra children and causing traffic issues elsewhere in the borough;
- all representations made against the proposed expansion of Grimsdyke School had been considered;
- it was recognised that there were traffic issues around the area of Grimsdyke School. However these issues could be addressed by utilising various methods including a detailed School Travel Plan, traffic assessments, enforcement and the use of CCTV cars;
- additionally all of the information relating to traffic issues would be fed into the planning permission process which could ultimately be considered by the Planning Committee. If they considered this application they could refuse the application based on the information presented to it.

In response to questions raised by the Lead Signatory and Members of the Sub-Committee, the Portfolio Holder for Children, Schools and Young People made the following points:

- it was not accepted that there would be an extra 100 cars in the site if the proposed expansion went ahead. There was already a bulge class at Grimsdyke School so these extra numbers were not anticipated;
- if the proposals were progressed he would be happy to work closely with the relevant ward Councillors to ensure that issues were resolved;
- if the proposals to expand were not agreed this would cause more traffic problems than if the proposals were agreed;
- the Traffic Department would conduct a significant amount of work in attempting to resolve the problems described by residents if the proposals were progressed. The traffic issues being encountered were solvable;
- work would have to be conducted with parents of existing and new pupils to Grimsdyke School to encourage them to walk to school. As demonstrated with statistics provided a lot of the pupils lived locally;
- Grimsdyke School was in favour of expanding and it was believed that it would be able to maintain its high academic standards with the proposed expansion;
- Grimsdyke School was a local community school and this had to be recognised;

- parents of pupils attending Grimsdyke School had not been asked to use Grimsdyke Car Park;
- the information provided in the consultation letter to residents detailed the fact that extra school places were required and they were also provided an indication of the demographics for the area;
- the School Travel Plan for Grimsdyke School was last updated in 2012;
- there was no land within Harrow on which to build new schools. Therefore the Council had to develop its existing stock to deal with the increased number of pupils;
- it was wrong to assume that traffic mitigation would fail as there were a range of measures that could be employed to tackle these issues;
- in accordance with guidance from the Department for Education, a balance had to be made between those residents who had objected to the proposed expansion and those who had not. Given that there had been a significant number of letters sent out, the number of residents who did not object to the proposed development outnumbered those who did;
- the parents of pupils at Grimsdyke School were largely in favour of the proposed expansion and a large number of residents had chosen not to object to the proposals.

In response to questions from Members of the Sub-Committee, the Lead Signatory, Councillor Hall responded as follows:

- there was only one feeder road to the whole estate of houses close to Grimsdyke School. A number of properties on roads close to the school had not been consulted on the proposals;
- it was important for the traffic issues to be addressed before any consideration was given to expanding Grimsdyke School;
- 70 representations objecting to the proposed expansion had been received and this reflected the strength of feeling against the proposal;
- this proposed expansion was different to other schools which had been expanded in that there were a number of traffic issues already encountered around Grimsdyke School.

(The Sub-Committee then adjourned from 8.15 pm until 8.50 pm for its deliberations.)

RESOLVED: (on a majority basis) That

- (1) the call-in on ground (a) – inadequate consultation with stakeholders prior to the decision be not upheld;

- (2) the call-in on ground (b)- absence of adequate evidence on which to base a decision be upheld and referred back to Cabinet for re-consideration as it was believed that the evidence provided to Cabinet was too broad and strategic for the borough and should have been more focused and specific to Grimsdyke School particularly in relation to the traffic management issues.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.56 pm).

(Signed) COUNCILLOR BARRY KENDLER
Chair