

## **CABINET: MINUTES**

**Date:** 14<sup>th</sup> June 2011

**Time:** 10.00 a.m. – 12.35 p.m. and following a break for lunch 1.00 p.m. to 2.45 p.m.

**Present:** Chairman: Councillor N Clarke

Councillors: D Brown, M Curtis, D Harty, C Hutton, L W McGuire, L Oliver and M Shuter.

**Apologies:** I Bates and S Criswell.

**Present by invitation:** Councillors: B Brooks-Gordon, P Downes, N Harrison, S Kindersley, L Nethsingha, T Sadiq, M Smith, T Stone and F Whelan.

The chairman indicated before the start of the meeting that he had given prior permission for television cameras to film the first few minutes of the meeting but reminded those present that no other permission to record or film the meeting had been granted.

### **MINUTE'S SILENCE**

The meeting observed a minute's silence in memory of Rod Craig, the Executive Director of Community and Adult Services.

### **389. MINUTES 25<sup>th</sup> MAY 2011**

The minutes of the meeting of the Cabinet held on the 24<sup>th</sup> May 2011 were approved as a correct record.

### **390. DECLARATIONS OF INTERESTS**

Councillor Hutton declared a Personal Interest under Paragraph 8 of the Code of Conduct in item 3 "Future of Educational Provision Gamlingay College" as Local Authority Governor on the Longsands Learning Partnership.

Councillor Oliver declared a Personal Interest under Paragraph 8 of the Code of Conduct in item 3 Future of Educational Provision Gamlingay College" as local Member for Bassingbourn.

Councillor McGuire declared a Personal Interest under Paragraph 8 of the Code of Conduct in item 5. "Proposed Amendments to Special Educational Needs (Sen) Home to School Transport Report" as his granddaughter was in receipt of SEN Transport.

### **391. PETITIONS OPPOSING CLOSURE OF GAMLINGAY VILLAGE COLLEGE**

Cabinet noted that 3 linked petitions opposing the closure of Gamlingay Village College (GVC) had been received. The three petitions when added together totalled over 780 signatures.

The main petition signed by 262 parents and 284 from the wider community read:

“We the undersigned are against the proposed closure of Gamlingay Village College. We would like GVC to remain open as a middle school to continue providing the children with the happy safe atmosphere and to continue to support educational needs. Also to provide the local community with good facilities.”

Another petition with 137 signatures read:

“We the undersigned are against the closure of Gamlingay Village College (GVC) and wish it to remain open as a middle school for the use by the children of Gamlingay and the surrounding villages.”

A third petition with the title “GVC – Leisure – Fitness Workshop” signed by 100 signatories reads:

“We the undersigned support the continuation of Gamlingay Village College. The fitness Workshop requires the college to continue so that our newly refurbished and re-equipped gym may continue to flourish and support our community.”.

As the petitions had been received within the deadline for allowing spokesperson’s speaking rights, the Chairman invited Julia Richardson one of the main organisers to make a presentation on behalf of residents in Gamlingay / users of the fitness centre who had signed the petition. He also indicated that he would allow a spokesperson representing parents to speak later in the meeting. A summary of the key points made by the spokesperson are included as appendix 1 to the minutes.

Following the presentation Cabinet Members sought answers to questions including:

- How many clubs /societies used GVC premises. In response it was indicated that this included amongst others: youth clubs, evening classes, martial arts classes, girl guide meetings, the photographic society and also play schemes during the summer months.

### **LATE REPORTS**

The chairman agreed to exercise his discretion under Section 100B (4) of the Local Government Act 1972 to allow the following reports to be considered at the appropriate point in the meeting accepting the reasons for lateness and urgency as set out below.

#### **Future of Educational Provision in Gamlingay**

Reason for Urgency - The report requires be presented to the current Cabinet meeting as it is essential that Cabinet make a decision in respect of the future pattern of educational provision in Gamlingay in order to provide time to begin planning for the next stage before

the end of the summer term and, more importantly, so that the County Council can remove the current uncertainty over future arrangements - parents/carers need to know what the future educational arrangements will be for their children as quickly as possible.

Reason for Lateness – This is a complex review which has generated a very high level of interest and written comments. Differing views have been expressed. All the responses needed to be analysed in order to inform the production of the report. In addition, the Leader of the Council was keen to ensure that he and the other members of Cabinet had the opportunity to talk to a range of people in advance of the Cabinet meeting.

### **Proposed Amendments to Special Educational Needs (SEN) Home to School Transport Policy**

This report replaced item 5a) and 5b) listed on the original agenda.

Reason for lateness – There had been uncertainty regarding whether the policy agreed at the May Cabinet Meeting was to be called in, but the call-in request has been withdrawn in respect of the report decisions taken at that particular meeting.

Reason for urgency – To correct errors in the policy presented to the Cabinet meeting in May.

### **Highway Programme Funding Allocation**

Reason for lateness – Due to the need to make adjustments to the decision making process identified in the paper following discussion with the Portfolio Holder.

Reason for urgency – The County Council needs to make a decision regarding this year's spend to enable it to complete the programme within the financial year.

### **On Street Parking Charges in Cambridge**

Reason for lateness: for the parking charge report this was due to the need to advertise after the election period which meant the closing date for objections was only last week.

Reason for urgency: To enable predicted income targets to be met.

### **Integrated Resources and Performance Report for Year Ending 31<sup>st</sup> March 2011**

Reason for Urgency - So that Cabinet:

- approves the Prudential Borrowing requirement of £4m to bridge the shortfall in capital receipts funding.
- considers the Legal advice and agree to the drafting of a Deed of Variation in relation to Brightfield Investments – S106 Agreement: Land at Evolution Business Park, Butt Lane, Milton, Cambridge.

Reason for Lateness

Officers were still finalising the report after the despatch of the main agenda and the necessary consultation with lead Members was also therefore delayed.

## 392. FUTURE OF EDUCATIONAL PROVISION GAMLINGAY

In his introduction to the report, the Cabinet Member for Learning highlighted that:

- while the village of Gamlingay was in South Cambridgeshire, it was very close to the border with the neighbouring Children's Services Authority, Central Bedfordshire. The village had two schools, Gamlingay First School, which served children in the 4-9 age range and Gamlingay Village College, which served children in the 9-13 age range.
- The schools were organised on the three-tier educational model which existed in Central Bedfordshire of First, Middle and Upper schools whereby at age 13 children transferred to Stratton Upper School in Biggleswade, Central Bedfordshire, a journey of around 6 miles. Stratton served the 13-19 age range.
- While Gamlingay First School was a high-performing school, in contrast, the Village College had been placed in Special Measures by the Office for Standards in Education (Ofsted), Children's Services and Skills, following an inspection of the school in February 2011. As a result, the Local Authority was required to produce a detailed action plan and as part of this, it had to assess the scope for the school to be closed or for it to enter into a Federation (a statutory partnership) with one or more schools. It was highlighted that a decision by Cabinet was required at the current meeting to enable work to begin on the detailed planning that would be required whichever option was chosen.

Cabinet was informed that at the start of April 2011, a wide-ranging consultation was launched which had ended on 25<sup>th</sup> May seeking views on three options for the future of educational provision in Gamlingay with it being made clear that continuing with no change was not an option. The three change options identified were:

### **Option 1: To:**

- retain the current three-tier system of Gamlingay First School and Village College feeding into Stratton Upper School in Biggleswade; and
- develop formal federation proposals.

### **Option 2: To:**

- establish Gamlingay First School as an all-through primary school serving the 4-11 age range;
- close Gamlingay Village College;
- include Gamlingay in the catchment area of Bassingbourn Village College; and
- provide for students to continue their post-16 education in Cambridgeshire.

### **Option 3: To:**

- establish Gamlingay First School as an all-through primary school serving the 4-11 age range;
- close Gamlingay Village College;
- include Gamlingay in the catchment area of the new secondary school to be established in Cambourne and provide for students to continue their post-16 education in Cambridgeshire.

Section 2.5 of the report set out details of the consultation exercise carried out and the arguments put forward both for and against closure options. The vast majority of responses received were in favour of Option 1.

It was highlighted to Cabinet that while all three options for change had the potential to deliver improvements in children's education, Option 2 was identified as the officers' preferred option for change.

As background to the officers' preferred option it was explained that in June 2009, the Council had designated Gamlingay Village College as a school requiring High Level Contact. Since September 2009, the school had received significant, additional, targeted support to secure improvement in children's education as detailed in the report. In December 2010, prompted by increasing concerns over the lack of engagement, and recognition by the Head teacher and the Chair of Governors of the urgency to secure improvement, the Director of Learning issued a draft Warning Notice, with a request that in response the school should produce an action plan. When no response was received, a formal Warning Notice was issued. Alongside this, an Authority-appointed consultative Head teacher was brought in to drive improvement and support the Head teacher. Shortly afterwards, Ofsted undertook an inspection of the school and it was placed in Special Measures.

The Ofsted inspection judgement of Gamlingay Village College was that the school's overall effectiveness was inadequate and the capacity for sustained improvement was inadequate. Rapid improvement was identified as being necessary to address key areas of teaching and learning identified as inadequate. These were in the following areas:

- Increasing attainment and improving pupils' progress to at least national averages in all subjects, but especially numeracy and literacy;
- The quality of teaching to improve the proportion of good and outstanding lessons;
- The quality of leadership.

Following the inspection, the School's Head teacher left the school and changes took place within the Governing body, including the appointment of a new Chair of Governors. Details were set out in section 2.2 of the measures of support provided by the local Authority to the school, including, in April, employing two experienced primary head teachers on a 3/2 day a week split to lead and manage the school. An assessment of the quality of teaching at the school undertaken in May 2011 by the acting Head teacher highlighted significant concerns. Key areas of concern identified were:

- That children's performance remained well below the Government's measure (floor targets);
- Progress for children with special educational needs (SEN) was inadequate; and
- Predictions for the next two years were that the attainment of children attending the school would remain well below expected standards.

Section 2.4 set out the risks associated with seeking to maintain the status quo and the professional view of the officers, taking into account the assessment of the acting Head teacher, was that Gamlingay Village College did not have the capacity to improve quickly.

The Cabinet Member for Learning thanked the Leader for his close involvement which had included taking the time to visit the schools involved and meeting key personnel.

At this point of the meeting the Leader of the Council agreed that he would take a number of speakers in order to encourage a full and balanced debate on the options that had been

presented and enable Cabinet to receive further relevant information and to be able to ask questions for clarification.

The local Member for Hardwick who declared a personal interest having two children attending Comberton Village College and being a Governor of Caldecote Primary School, spoke in support of building a new school in Cambourne and was concerned regarding the capacity of Comberton Village College to take on more pupils should Gamlingay Village College be closed as a result of the time lag involved before a further secondary school at Cambourne was built and opened.

The next person invited to speak was Michael Jones the Chair of Governors at Gamlingay Village College. His submission highlighted some of the key areas of work that had taken place in recent months in leadership, teaching and standards which he wished to bring to Cabinet's attention, as he felt that the report did not fully reflect the up-to-date position and read as if it had been written immediately after the Ofsted Inspection. A summary of his submission is included as part of appendix 2 to these minutes.

Questions raised by Cabinet Members / answers received included:

- In response to a question on what methodology was being used to arrive at the claim he had made that "approximately 45% of teaching would then either be "good" or "outstanding" as a result of changes in staffing structure", the Chair of Governors indicated that this was the same methodology as had been used by the local education Authority to state that currently 51% of teaching was inadequate and involved observing teaching in classes etc.
- For the record the Leader indicated that Cabinet had received information from both acting head teachers indicating that they did not consider it appropriate to express their views on whether the school should be kept open and had not confirmed in correspondence the positive views being attributed to them in the presentation.
- In answer to a question on the number of governors on the current governing body and the number of changes that had been made, of the 15 governors and 3 associate governors previously in place, only 3-4 remained from the original governing body which indicated the level of changes that had been made.
- In answer to a question regarding whether more changes would be needed to current teaching staff, the governors were working with consultants to look at what further staffing changes might be required.
- In response to questions on whether the governing body had expressed concerns prior to the Ofsted inspection, one of the issues that had been highlighted by the new Chair of Governors and by officers, was the problems of obtaining accurate information from the previous head teacher and the former chair of governors.
- On being asked the question that faced with the reality of the worst Ofsted report a school in Cambridgeshire had ever received, what were the realistic expectations of turning the school around, the Chair of Governors highlighted that the behaviour of the children in the school was good, which was an advantage and the expectation was that the new teachers and the positive leadership would help achieve a significant improvement to the quality of teaching.
- In response to a question on his qualifications for being a leader to help the school come out of special measures, the Chair of Governors indicated that he had been a governor of the Gamlingay First School for 4 years and had been encouraged by how the experience there with a new head teacher could make a marked difference. He would aim to ensure the new head teacher / teachers received the full support

necessary from the governors to help them succeed. On the timescale to seek to get the school out of special measures, he hoped that this would be possible within a year with the support of the local Authority. He confirmed he would be able to give sufficient personal time to provide the necessary support.

- He confirmed in answer to a question that he did not have any children at the school.
- In terms of a comment he had made regarding the consultation “having got in the way”, he clarified that the time the governors and others had spent in meetings etc would have been better used to recruit and confirm the appointment of new teachers who currently could not commit themselves to the school until its future was known.
- A question was directed to officers regarding how the federation with Stratton Upper School would help improve standards. In reply it was indicated that this would be by using Longsands College and St Neots Community College federation model as an example in terms of using the stronger school to draw the majority of the future school governors and leadership expertise.

The Leader before hearing the next speaker expressed his serious concern regarding issues of intimidation and harassment that had been brought to his attention experienced by some people who held the opposite views to those seeking to keep GVC open and wished to make clear that this would not be tolerated at the current meeting.

The next person invited to speak was Kate Mingay the Chair of Governors at the First School. The details of her submission are included as part of appendix 2 to these minutes.

Questions / issues raised by Cabinet Members / answers received included:

- Seeking further information regarding funding implications for the First School as a result of Gamlingay Village College staying open, it was indicated in response that the first School had 121 pupils at Foundation and Key Stage 1 and as this was over the 120 limit, the school received additional funding of £28k which had been used to budget for 8 classes and, which if lost, would mean they could only afford seven classes, resulting in increased class size and potential redundancies.
- As a follow up question later on, one Member sought clarification of the likely future effect of proposed additional housing development and whether this had been taken into account. In response it was clarified that there would be capacity at the school for future additional pupils as only KS2 was operating at full capacity. In relation to a further question regarding the number of children attending from outside of the catchment area, this was given as an estimation of between 10-20 children.
- As some of the questioning had involved issues in relation to the three-tier system operated, the Leader made it clear that Cabinet was not debating the merits of a two-tier or three-tier education system and that the issue was in relation to a failing school as a result of poor local leadership and that, whatever decision was taken, the priority was for the community to come together and heal the divisions caused by the current issue so that whichever option was adopted, it was supported by all residents / schools in the community and surrounding area. Kate Mingay confirmed that the governors of the First School would continue to work to achieve a smooth transition whatever the chosen option, and do what they could to ensure a successful outcome for pupils and deal with any consequences for their own school.
- One Member asked if there were no constraints what would be the ideal option. In reply it was indicated that GVC being a full secondary school would be the ideal, but that this was not possible in reality as there were not sufficient children in the catchment and

local area to make it a viable school (it would need to attract around 600 children aged 11-16).

- A question was raised regarding those parents who might consider moving their children from the First School and whether if they saw in the future an improvement in GVC this might change their minds. In reply the Chair of Governors indicated this might be the case for parents whose children had two to three years to go before they moved up, but others would act sooner to remove the uncertainty. There was the issue that parents had not been informed by those in charge of the poor rating by Ofsted and as in any school it was often the case that parents did not question the professional judgment of teachers if they were being told their child was happy and received reports that they were doing well.
- Concern was expressed that the parents would appear to have been unaware of how poor the school was performing.

The next person invited to speak was Rob Watson, Head teacher of Stratton Upper School. A summary of some of the main points are set out as part of appendix 2 to these minutes.

Questions / issues raised by Cabinet Members / answers received included:

- The Cabinet Member for Health and Well being who had previously been the Cabinet Member for Children and Young People made the point that Stratton Upper School was referred to as a successful school in the submissions received, while pointing out that the Department for Education usually required one school to be outstanding before allowing a federation between two schools. In reply the Head teacher indicated that the school was classed as a good school with outstanding features which had developed an ethos and practical focus on learning and attainment. The school already had a reputation within Central Bedfordshire for bringing about significant impact on educational standards. As part of the improvement measures, Stratton, at Cambridgeshire's request, had seconded the services of an Assistant Head teacher with expertise in both Leadership and Management and specifically mathematics to help develop new ways of working.
- Whether the school had spare teaching capacity and whether, if teaching expertise was provided to GVC, this would be at the expense of their own school's performance. In response it was stated that while the school did not have spare teaching staff, capacity could be created through the Federation process, which would also provide development opportunities. The capacity available was in terms of leadership, the gifted and talented staff and the excellent capacity available from subject teachers in terms of the teaching practice they could offer and share, as well as the experience of providing teacher training to all three teaching tiers. Mention was also made of the excellent Special Educational Needs (SEN) provision available and the support it provided to other schools in the area.
- A question was raised on whether the views of parents with pupils at Stratton Upper School had been sought with regard to the proposed federation. In response it was indicated that the school had consulted in terms of applying for academy status and as part of that had made reference to the position with GVC. The point was made that GVC was considered part of their community as it was only over the border and, therefore, they were prepared to help if it was required. This help would also include working more closely with the First School if option 1 was chosen, and for which there were already established links as part of the Biggleswade Community of Schools.

- In terms of a question on staff turnover and any recruitment difficulties they had as a school, it was highlighted that the training potential available, provided development opportunities which encouraged the retention of good quality staff.
- In terms of expectations of GVC 's current governing body, the Head teacher made clear that any Federation would require GVC to dissolve its governing body, as Stratton Upper had a long record of leadership. It would still however ensure Gamlingay had a voice in terms of representation with one to two governors representing its interests.
- On the issue of how GVC pupils adapted once they moved to the school, the response was that while it was noticed that they initially took longer to make the transition, all pupils at the school were able to reach their potential and beyond.
- In terms of an ideal model, the Head teacher indicated that this would be a consistent 0-13 model.
- In answer to a question on what the Contextual Value Added rating was for the school this was given as 1,013.

The next person invited to speak was Scott Hudson, Principal of Bassingbourn Village College. A summary of some of the main points are set out as part of appendix 2 to these minutes.

Questions / issues raised by Cabinet Members / answers received included:

- In answer to a question of whether the school currently had any GVC former pupils and whether they had any specific issues, his reply was that the school had a small number of former pupils from GVC but due to the small number, it was not possible to indicate as a specific category if their attainment was lower than pupils who came from other schools.
- In answer to whether the school had the capacity to take on more pupils it was explained that current year 8 was 119 and they could work up to a figure of 140-150. (150 being the Published Admission Number (PAN)). A supplementary question to this was why they were so far below their PAN. The reply was that this was a result of the catchment area / demographics.
- In answer to whether any option would have a significant effect on the school, the response was that Option 2 would not result in any lowering of education attainment standards, as there was sufficient capacity and in reply to a question also asked of others in terms of an ideal solution, the Head teacher endorsed the concept of an all-through two-tier school system.
- In terms of whether Gamlingay children were able to participate in out of hours activities it was indicated that two of the staff lived in Gamlingay and therefore were able to provide some transport support, but that there was a reliance on pupils' parents helping out.

The next person to speak was Samantha Watkins specifically speaking for parents of children attending Gamlingay Village College opposed to the closure and supporting Option 1 to keep the school open. In her presentation she indicated that parents recognised the benefits the federation with Stratton Upper School could provide and welcomed the post-16 provision available and highlighted that 90% of parents elected for their children to go on to Stratton Upper. Option 2 was seen as limiting the choice of parents being able to send children to their nearest local school which was seen as having a good safety record and which pupils were happy attending. She highlighted pupils' happiness, well being and safety as being important factors that should be taken into account.

The parents view was that the consultation had been biased in favour of closing the school and they had only been given two months to provide a reasoned response.

Questions / issues raised by Cabinet Members / answers received included:

- In answer to a question on whether she was satisfied that her children had been well served by the school, she highlighted the case of a child who had left the First School and whose future attainment had been assessed as likely to achieve a 3C in Maths and 3C in Literacy. Under the teaching at GVC this had increased to a 3A in Maths and a 4A Literacy, which she put down to the increased confidence in the child's ability instilled when the child moved to GVC.
- Whether she believed the energy which had been used in the campaign could be channelled to improve the school. In reply while she had only been involved with the school for nine months, as a new resident to the area, she had been impressed by how involved parents now were and felt sure that parents working with the community and the teaching staff would be able to help improve standards. She believed that the community had been brought together by the issue of possible closure. (The latter point was disputed by Cabinet Members who had received confidential emails regarding allegations of intimidation / harassment for those who had publically expressed different views.)
- On being asked to clarify the claim that the consultation had been biased this was based on her belief that the tone of the consultation appeared to her to be seeking to receive responses that supported the closure option which was stated as being the preferred option. In addition, not all questions asked at the early stages by parents had received responses, which had frustrated a number of parents wishing to have a better understanding of the implications of the different options. The chairman apologised if this had been as a result of Members not passing any of the correspondence to officers, as Cabinet Members had received a great many emails /letters over the period.
- In reply to why it appeared that parents seemed unaware of the very low standards of teaching at the school, the spokesperson stated that from her personal perspective she had been unaware of any problems at the school before moving to the area and it had come as a great shock to her and many parents when the results of the Ofsted inspection were made public. She acknowledged that while there was no argument with the findings of the Ofsted inspection, from her point of view her own child was not a confident child and the school had helped increase the child's confidence which from a personal point of view had been extremely positive.

Councillor Downes was invited to speak as one of the Liberal Democrat Spokespersons for Children and Young People. His points included:

- That the quality of education depended on the teaching in the classroom and not the structures.
- The key issue would be how a federation would improve the quality of education.
- His view was that a federation between GVC and Stratton Upper School could work provided the latter was committed to it, as it had the support of parents and governors which the new leadership, management and governance team would need to keep on board while recognising that the socio-economic conditions of Gamlingay was different to some other places.
- That retention of community facilities was an important consideration to be taken into account and therefore Option 1 was likely to receive popular support.

- On being asked which Option he would prefer, he replied that if he was making the decision, he would support Option 1.

The next Member invited to speak was the local Member for Gamlingay. He declared a personal interest as a Governor of Gamlingay First School (LEA appointed) and an associate Member of Gamlingay Village College. His points included:

- Paying tribute to the officers involved in the preparation of the report.
- Thanking the chair of Governors of the First School for the presentation, highlighting that it was completely right that as a governing body they should wish to ensure the successful education at the school they were responsible for and it was a shame that they had received negative feedback for only seeking to carry out their responsibilities. On the other hand it was also correct for GVC to make the case that it believed was right.
- In terms of whether the school's failings were known by the wider community, the utter failure was down to the two individuals already referred to by other speakers.
- In terms of the question of what his ideal option would be he made the point that starting with a blank sheet of paper was not the option and was, therefore, irrelevant.
- His belief was that GVC was, intrinsically a good school, and that there was no reason to believe it could not be improved as the building blocks were now in place, with the community behind supporting the school's retention. He hoped the committee could support Option 1.
- It was also important to heal the current fracture in the community.

Having thanked all the speakers, the Cabinet then discussed the issues, recognising that the decision to be made was very finely balanced and that there were significant and important arguments from both sides.

For the record Cabinet expressed their concerns regarding criticism of the officers which had been circulating on Facebook which was totally unjustified, drawing attention to their attempts to intervene on a number of occasions as set out in the report which had been ignored by the then headteacher and Chair of Governors at GVC and the fact that the report of Ofsted justified the interventions the officers had made. Cabinet also rejected the contention that the consultation carried out was wanting in any way. There were serious concerns at the tactics of some members of those associated with the Action Group who had resorted to intimidation and harassment of some people who had spoken out or expressed different views to their own and that such tactics / demonstrations would not influence the decision to be made.

Having carefully considered all the evidence presented including:

- the substantial officers' report,
- the submissions made at the meeting,
- submissions received by email / letters
- the community impact assessments

Cabinet recognised that it was not about different school structures or believing that one solution could be used for all problems, but there was the need to recognise localism and the majority view expressed by a community and a need to seek a solution to repair a divided community that would deliver improved education for the community, taking into account the leadership changes at Gamlingay Village College.

The Leader agreed that a vote should be taken and having voted on each option, Option 1 received 7 votes, Option 2 received 1 vote and Option 3 received no votes.

**It was therefore resolved:**

- a) to note the consultation responses and the views expressed at the various consultation meetings held and at the current meeting in respect of options for the future of educational provision in Gamlingay;
- b) to endorse the educational case for change and the conclusion that status quo was not an option;
- c) to progress with Option One, the federation of Gamlingay Village College with Stratton Upper School,
- d) to delegate authority to the Cabinet Member for Learning and the Executive Director: Children and Young People's Services to take forward the statutory consultation on Option One to federate Gamlingay Village College with Stratton Upper School.

At the conclusion of the item at 12.35 p.m. the chairman agreed that the meeting should take a break until 1.00p.m.

**393. PETITION TO RETAIN THE NUMBER 75 BUS SERVICE**

Cabinet received a petition with 75 signatures organised by Maureen McKimmie reading:

"The signatories to this petition wish the Leader of Cambridgeshire County Council and the Cabinet Member for Transport to receive this petition concerning the retention of the Whippet bus service No 75 serving villages on or near the A603.

Many of these villages have no shop or post office, and several have sheltered housing schemes within the parish. Those residents who are unable to drive rely heavily upon service 75 to access essential services and supplies including food in Cambridge. Other reasons for usage range from general shopping to Citizens Advice Bureau (CAB) and other legal advice, voluntary work at Addenbrooke's and other institutions, paid work, student studies and retirements activities (U3A etc) and visiting and supporting elderly relatives.

Many of the users are very young or elderly and appreciate the fact that the service has improved in many ways, and provides a lifeline to them. Over the past couple of months, more people appear to be using the bus, as many as 33 or 34 users have been counted on some services. Obviously this number of passengers will not fit on a minibus. The voluntary car service has as many requests as it can manage already. Furthermore there is no official safe cycling route into the City from Haslingfield.

If the service was guaranteed to continue, we believe that more people would use the service".

Cabinet was also reminded of information set out in a passenger usage survey on the bus service showing the period Monday 9<sup>th</sup> May to Monday 16<sup>th</sup> May provided by South

Cambridgeshire District Councillor Liz Heazell and which had been e-mailed as background information in support of the petition to all Cabinet Members the previous night.

As there were over 50 signatures and the petition was received before the 9 a.m. 7<sup>th</sup> June deadline, spokesperson speaking rights had been secured and the chairman invited Helen Lovett, who had volunteered to speak on behalf of the petitioners to present the petition.

In her presentation Helen Lovett highlighted the particular importance of the service to the elderly, disabled and the young, who often were not able to access alternative transport. Making reference to the aging population and the projections of its expected continued rise, this was likely to result in even more people becoming dependent on the bus service. In her view bus access also helped people keep mentally fit, as cases of depression would otherwise occur for some of those people cut off and isolated in their own homes.

She also made the point that keeping the bus service would positively contribute to the policies in relation to reducing the number of people using cars when travelling to and from their place of work etc. She highlighted that there was no safe cycle route, until the village of Barton.

Making reference to the survey which Cabinet Members had in front of them, she drew attention to the usage figures which suggested that the 9.00 a.m. service was mainly full, with a large number of people using it on a daily basis and was of the view that bus patronage on the service had increased over a five year period. As there was no alternative route for many of the people, she argued the need to further promote the service to help make it economically viable.

The point was made that the County Council did not subsidise services that were commercially viable and that if the survey results were correct, there might not be a problem finding an alternative provider (if this was required at a later date).

As there was not a relevant report on the agenda, the petition details have already been passed to officers who in consultation with the Cabinet Member for Community Infrastructure would arrange for a written response to be provided in the Cabinet Member's name, no later than 10 working days following the Cabinet meeting.

#### **394. CHANGE IN THE ORDER OF THE AGENDA**

Being mindful that a number of local Members had requested to speak and had given early notice, with Cabinet's agreement the Leader changed the order of the agenda to receive the key decision report on Street Parking Charges in Cambridge as the next item of business and to then take the reports titled: "Highways Programme Funding Allocation", "Provision Of Secondary School In Cambourne" and "Cambridgeshire Guided Busway."

#### **395. ON STREET PARKING CHARGES IN CAMBRIDGE**

At its meeting of 22<sup>nd</sup> February 2011, Cabinet considered issues around the on-street parking account and a review of on-street parking charges in Cambridge. The account funded:

- the deficit from civil enforcement operations
- a contribution towards Park & Ride site operations

- rising bollard operations and transponders
- car park information system operation
- a contribution towards the cost of the City Council's shop mobility scheme.

The report had highlighted that many of the pay and display ticket machines in Cambridge were past their intended lifespan and urgent investment was needed to ensure its future operation, as well as the trend of a diminishing annual surplus and the risk of a deficit in future years. A review of parking charges had been undertaken to set levels that could be expected to generate the required income and to generate a surplus for reinvestment in highway services.

Cabinet was reminded that income was generated through pay and display charges and residents and visitor parking permit fees. Residents' permit charges, which range from 17 pence to 24 pence per day would remain much lower than On Street Pay and Display Parking charges. While Pay and Display (P&D) tariffs were reviewed on a regular basis, residents' and visitor permit charges had not been reviewed since 2001. As a result, Cabinet had approved the formal advertisement of a Traffic Regulation Order (TRO), to increase on street parking charges. If implemented, the charges at most Pay and Display (P&D) bays and permit fees would increase and were expected to raise an additional £235,000 per annum. The increase would reduce the risk of the account running at a deficit, would fund replacement of out of date ticket machines giving the opportunity to embrace more modern technology and payment mechanisms and if there is a surplus this would be re-invested in highway and transport issues. Details of the current P&D charges and hours of operation and those which were consulted upon were shown in Appendix A with permit charges set out in Appendix B of the Cabinet report.

The proposals were formally advertised on the 6<sup>th</sup> May, and the current report set out the details of representations received for Cabinet's consideration to be taken into account before making a final decision on whether to increase On-Street parking charges in Cambridge, including residents permit fees. Section 2 of the report set out details of objections received with the substance of the objections and officer comments as set out in appendices C and D of the report. An updated version of appendices C and D dated 13<sup>th</sup> June were tabled at the meeting to take into account of further representations received which had been sent to officers / brought to the attention of Cabinet.

The report highlighted particular objections in relation to the Newtown area of Cambridge regarding proposals to extend pay and display operating hours in Brookside and as a result, officers were in discussions regarding the potential to extend the hours or days of operation of residents parking. Any changes would be funded by residents in accordance with the Third Party Funding Policy through a one off charge when permits were renewed or applied for. This would need to be the subject of further public consultation and given the need to align the operation of pay and display (P&D) and residents parking it was recommended that the proposed changes in the operational hours of the P&D spaces in Brookside was deferred, pending changes to the operational hours of the residents parking schemes.

The Local Member for Petersfield had requested to speak suggesting that as Cabinet was made up of councillors not representing Cambridge City they needed to listen carefully to complaints being made by local residents to the proposed increase in residents parking charges who were angry that the charges were no longer being set at a level to recover costs. The increase was seen by them as being a tax on the local community to help fund

other highways services that that might only have limited benefits to them, such as Park and Ride. She expressed her surprise that charges had not been reviewed since 2001. The increases were considered too high and were considerably higher than the rate of inflation and therefore requested that Cabinet ensured that if they went ahead, residents should receive the best possible service in terms of maximum enforcement and the introduction of lower priced half day visitor permits.

The Local Member for Market highlighted anomalies at the Park and Ride sites that had taken place, including departure charges being reduced while at the same time Stagecoach were massively increasing their own fares and that the amount brought in by increasing parking charges was small compared to the large scale savings that could be achieved by a Park and Ride Review. In relation to the current report she highlighted the recommendations of the Cambridge City Traffic Management Area Joint Committee (AJC) which had suggested spreading the cost of the increases of the schemes which she supported and highlighted that Guest Road was facing approximately an 85% increase in its residents parking permit charges while the Kite and Brunswick were facing a 25% increase.

In p reply regarding the AJC alternative proposals, attention was drawn to the fact that Cabinet had noted at the February meeting that the AJC proposals if implemented would raise marginally less revenue.

The local Member for Coleridge made the point that while his area did not currently have residents parking he was extremely concerned on how the consultation had been handled and how the recommendations of the AJC had been ignored. He was concerned that there should be transparency regarding the amounts of income received from parking activities and the proportion of the various different service activities listed that were funded from the charges levied. He made the point that if Cabinet were considering devolving powers and decision making to a more local level, then it needed to take more account of recommendations from AJCs / Area Committees.

In response to the various points made, it was highlighted that the various Park and Ride sites around Cambridge benefitted all residents in Cambridge as by encouraging people to use buses instead of cars, they helped reduce congestion / pollution. In addition, some of the revenue received from the charges were used to contribute to enforcement activity (the costs of which were increasing) and included as already highlighted, rising bollards.

One Cabinet Member made the point that as resident parking charges had not been increased for nearly 10 years, calculating costs on the Retail Price Index (RPI) would have resulted in at least a 29% increase. The Leader stated that no one was suggesting that the RPI was an appropriate measure to be used, but he did thank all Members who had pointed out that there had been an oversight in ensuring regular increases in residents parking and visitor parking permits and he would ensure increases in future took place at regular intervals and at least every three years. He also reminded all members that having a parking bay greatly increased the values of properties in an area such as Cambridge, where parking was at a premium and where many properties had no off street parking. Another issue that some local members seemed to forget was that residents had a choice and did not have to purchase parking permits.

**It was resolved:**

- a) to approve the advertised proposals, with the exception that the

- charged hours in Brookside remain unchanged; and
- b) to Inform the objectors accordingly.

### **396. HIGHWAYS PROGRAMME FUNDING ALLOCATION**

Cabinet received a report setting out changes to the budget allocation process for safety schemes; the allocation of additional funding provided by Government for winter damage; and proposals for changes to the funding for small local schemes.

In terms of Winter Damage Funding, the Government had provided around £2.7m of additional funding to address the highway damage and appendix B of the Cabinet report set out the proposed funding allocations by each area.

Cabinet noted that as a result of the reductions in capital funding received through the Local Transport Plan, the future Highways Programme would be greatly reduced (with the budget allocation being £250,000 in 2011/12) and that the emphasis was being changed to concentrate on providing more low cost schemes which would specifically target the identified accident cluster sites across the county road network. Research had suggested that investment in low cost measures at known high frequency accident locations would achieve the best return in terms of casualty reduction and would be the most cost effective way of meeting any future casualty reduction targets. In future, the casualty reduction measures funded through the new programme would demonstrate more coordinated interventions based on a combination of the road safety 3 E's (Engineering, Education and Enforcement) rather than solely funding highway engineering measures. The development of casualty reduction measures at cluster sites needed to demonstrate a more rigorous link with asset management programmes, particularly highway maintenance budgets for road surface treatments, to ensure that investment opportunities were better aligned across services to achieve more cost effective outcomes.

The proposal in the report was that scheme funding for up to a £50,000 limit would be approved by the Portfolio Holder for Community Infrastructure in consultation with the Service Director and Head of Service. Schemes costing over £50,000 would still be approved by Cabinet.

It was highlighted that potential bids for 2011/12 had been assessed and ranked in the usual way, using the current assessment methodology. This process identified the following schemes as the highest scoring:

A1301 Madingley Rise  
B1166 Swan Bridge, Parson Drove.

At both locations significant and costly engineering work had been proposed which exceeded the budget available in 2011/12. However, both sites were identified accident cluster sites and had potential for lower cost measures that would score very highly under the proposed new process. It was therefore recommended that the lower cost options should be taken forward as the first call on the budget for 2011/12. It was expected that some funding would remain once the above two sites were addressed, and officers would undertake sites assessments to select sites for funding in conjunction with the Portfolio Holder for Community Infrastructure.

In terms of the approach to funding small local schemes, it was explained that the schemes had been jointly funded by four of the District Councils and the parish and town councils in those areas. It was highlighted that Cambridge City Council had never contributed to the jointly funded process but had carried out a significant number of highway schemes through its own Environmental Improvements Programme (EIP) approved via its Area Committees. In addition, two of the district councils (South Cambridgeshire and Huntingdonshire) had withdrawn from the process while there had always been an issue of equity for the County Council as the amount of funding provided to individual districts had only reflected the level of match funding provided by each district.

In the current financial year a budget of £200,000 had been identified for Jointly Funded Minor Highway Improvements in East Cambridgeshire, Huntingdonshire, Fenland and South Cambridgeshire and officers had considered:

- How the budget should be divided between the districts
- Whether parish or town councils should be requested to help jointly fund them
- The limit of funding for individual schemes.

Section 6.3 of the report set out the factors considered in determining the possible allocation of the budget for the current financial year and as no methodology was ideal, officers recommended the simplest option of splitting the Jointly Funded Minor Highways Improvement Budget Programme four ways (£50K each to the participating authorities East Cambs, Fenland, Hunts and South Cambs District Councils) while for Cambridge City Council a £25k budget could be established from the Cambridge Access Strategy Budget to allow progress in addressing the list of outstanding traffic management measures requested in the city with the Area Joint Committee setting priorities. At present, the City Council undertook its own programme, but if they were to benefit from county funding, it was expected that they should also jointly fund schemes. The absence of a parish structure meant that the City Council's Area Committees, which had some devolved budgets, could be asked to allocate this joint funding element.

It was explained that the present programme allowed for schemes up to a value of £35,000 but this would take most of the budget in each area and it was believed a much smaller limit should be adopted. Therefore, officers proposed that a £5,000 limit be adopted which would allow a minimum of 8-10 schemes to be undertaken in each district.

In terms of Third Party Funding, Cabinet noted that at present the programme was jointly funded by the district councils and the participating parish/town councils, which significantly increased the budget and also ensured that the parish and town councils had a vested interest in the schemes. It was proposed that in future years the budget would be evenly split between all five districts and bids would be invited from parish and town councils. It was also recommended that the third party funding element be set at £1 per elector, up to a maximum of £5,000 to match the County's contribution with the District/City Council or another third party adding to this funding, if desired. This proposal was to recognise that not all parishes could contribute at the same level and was only in relation to very small schemes and was intended for large scale safety schemes. It was proposed that parish and town councils should continue to be asked to contribute financially.

The Cabinet Member for Duxford who had requested to speak as a local Member made reference to the suggestion that parish and town councils should continue to contribute financially, highlighting that in relation to smaller parishes in rural areas with very small

populations a £1 per elector levy could accrue as little as £300 to be able to spend on schemes. He also highlighted section 6.12 of the report making reference to future priorities being decided by a panel of county councillors from each area and suggested this looked like officers were proposing the abolition of area joint committee local arrangements. In response to this point the Leader indicated that an officer review was currently being undertaken in respect of the future of AJCs that could result in a report proposing changes to come forward to a future Cabinet meeting.

The Cabinet Member for Coleridge suggested that the proposals in the report did not do justice to the issues around casualty reduction, and the proposals in his view would have an impact on safety and highlighted that the point made in the report regarding research undertaken provided no references to papers which could be viewed by third parties to ascertain the big claims being made that investment in low cost measures at known high frequency accident locations would achieve the best return in terms of casualty reduction. He queried the contention of the two large schemes highlighted as having potential for lower cost measures that would score highly under the proposed new process and surmised whether this meant that officers had previously been incorrect in the proposed solutions or been profligate in previously suggesting higher cost schemes. In response the Deputy Leader standing in for the absent Cabinet Member for Community Infrastructure highlighted that the reduction of Central Government funding of 75% had required a review of schemes to enable value for money solutions within the very limited resources now available and while in some cases the ideal solution might for example have involved a £400k roundabout as the optimum solution, such cost could not be justified in the current climate and any revised solution while not increasing safety, would not result in measures that were less safe than the present position, as they were often additional measures building on measures already previously in place.

The Local Member for Melbourn also highlighted concerns she had in relation to what she considered were unrealistic proposals to devolve decision making to the community. She highlighted that in the case of small parishes with small precepts who were already being asked to take on very large responsibilities to help support alternative library, youth club and transport provision as a result of cuts being made, they were already suffering from “precept fatigue”. In response, the Leader indicated that he had asked officers to investigate alternate flexible funding schemes but the mechanisms were still being developed and had not yet come forward.

The Local Member for Hardwick in relation to the A1301 Madingley Rise scheme made the point that this was at the top of the list due to the huge number of seriously injured / killed along the route. She made a plea that should a revised smaller scheme be implemented, that this should not penalise the ability to put forward further safety schemes in the area.

**It was resolved:**

**Casualty Reduction Programme**

- a) to approve Appendix A as a mechanism for the future allocation of Local Transport Plan (LTP) funding for safety schemes (Casualty Reduction Programme); and
- b) to support the interim arrangements for funding allocation for 2011/12 set out in paragraph 2.5 – 2.7 of the report.

### **WINTER DAMAGE FUNDING**

- c) to approve the budget allocations set out in Appendix B of the report;

### **FUNDING FOR SMALL LOCAL SCHEMES**

- d) to approve the budget allocations for 2011/12 set out in paragraph 6.11 of the report and
- e) to approve the budget allocation process set out in paragraph 6.12 of the report for future years.

## **397. PROVISION OF SECONDARY SCHOOL IN CAMBOURNE**

Cabinet received a report on the progress made towards the establishment of a new secondary school to serve Cambourne.

Since building work commenced, Cambourne had developed rapidly. In addition, more family housing had been provided than originally planned in response to identified need. It was highlighted that Cambourne was now of a sufficient size and population to have its own, viable secondary school. It was further highlighted that Comberton Village College was the designated catchment school for children of secondary school age living in Cambourne, but as a highly successful, popular and over-subscribed school, current forecasts indicated that the College would be full to its 1500 place capacity for the 11-16 age range by September 2013. The College's Governing Body had made it clear that it did not wish the school to increase any further in size and supported a school to be built in Cambourne.

Section 2 of the report highlighted the main issues in relation to site acquisition and selection of Option 1, issues around the school design and build and the key milestones and the land use planning issues. It was noted that in January 2011, Cabinet had approved the new Children and Young People's Services (CYPS) five year rolling programme of capital investment as part of its Integrated Planning Programme (IPP). This provided for £20m to be invested in a new 750 place (5 form entry (FE)) secondary school in Cambourne with the Council subsequently approving the IPP at its meeting in February 2011.

Cabinet noted that a parental survey undertaken on the future provision of secondary education in Cambourne had resulted in the overwhelming majority of responses being in support of the option of a new secondary school in Cambourne, which maintained a formal link to Comberton Village College. In response, the Comberton Education Trust was seeking approval from the Secretary of State to establish the new secondary school as a Free School.

An update was provided orally at the meeting to draw attention to a change required to be made since the publication of the report on the agenda, with officers advising of a need to change recommendation ii) as printed, as a result of very recent advice received from the Department for Education (DfE) indicating that an exemption from school competition arrangements was not required if the proposed sponsor of a new Academy School was on the DfE Approved List of Sponsors (which Comberton Education Trust was). A proposed revised recommendation was suggested and supported.

The local Member for Papworth and Swavesey speaking as the recently appointed designated Councillor to represent the interests of local Bourn residents since the four month suspension of the local Member, spoke in support of the new secondary school.

The local member for Hardwick who declared a personal interest as she had two children attending Comberton Village College and was a governor of Caldecote Primary School, one of the College's partner primary schools, highlighting the desperate need for a new secondary school as Comberton Village College which was currently at, or above its Published Admission Number, in all year groups.

Letters of support for the new school were also orally reported as having been received from Comberton Parish Council and the local Member for Bar Hill.

**It was agreed:**

- a) to delegate to the Local Government Shared Services (LGSS): Director Finance and the Cabinet Member for Resources and Performance agreement of the terms for the acquisition of the land required for:
  - the new Cambourne secondary school and access road;
  - a fourth primary to safeguard the Council's position should such a school be needed in future; and
- b) That should the Comberton Education Trust's (CET) application to establish the new secondary school as a Free School be unsuccessful, the County Council supports the establishment of the Cambourne Secondary school as an academy promoted by the CET.

**398. CAMBRIDGESHIRE GUIDED BUSWAY**

The Guided Busway was now due to open on 7<sup>th</sup> August. Cabinet received an update report to approve the future governance arrangements for the Cambridgeshire Guided Busway and to enable the rectification of the defective maintenance track between Swavesey and St Ives. Cabinet noted that formal contractual completion had been reached with BAM Nuttall in respect of the Busway construction contract on 21st April 2011. Following completion, work was also now underway using the Council's framework contractors on various additional works, such as the blacktop surfacing of the maintenance track and the additional junction for the Clay Farm development.

In the introduction to the report credit was given to the hard work undertaken by the previous Leader Councillor Tuck and the former Cabinet Member for Growth, Infrastructure and Strategic Planning Councillor Pegram in their determination to move forward and finalise the scheme for opening by the summer and to maximise the benefits to the County's residents.

Although completion of the contract with BAM Nuttall had been achieved, there remained a substantial contractual dispute to resolve, which might ultimately require legal action, although a prerequisite of any legal action would be to undertake a process of mediation or negotiation which might resolve the dispute. To date, the busway contract had been overseen by the Guided Busway Delivery Group but it was now considered appropriate for

revised governance arrangements to be put in place to manage the contract resolution processes. In terms of the work on mediation and resolution of the contractual dispute, it was considered that any mediation and negotiation process was best conducted by a core group of senior officers, assisted as necessary by the Director for Growth and Infrastructure, the Head of Delivery for the Cambridgeshire Guided Busway and such other officers as were considered necessary and in consultation with the Leader, Cabinet Members for Growth and Planning and Resources and Performance and Chief Executive.

The officers report proposed that a Busway Contract Resolution Group should be formed consisting of the: Executive Director, Environment Services; LGSS: Director Finance and LGSS: Director Legal. (The latter two acting in their roles as the Section 151 Officer and the Monitoring Officer respectively). The group's purpose would be to seek through mediation, negotiation or legal processes as necessary, a resolution to the dispute that provided best value to the Council. Any settlement would need to take all relevant matters into consideration and be demonstrably in the public interest as the authority could only pay evidenced and proven costs due under contract. The proposed Terms of Reference for the Busway Contract Resolution Group were as set out in Appendix A to the Cabinet report.

It was highlighted to Cabinet that in terms of the Maintenance track ongoing dispute, BAM Nuttall, had despite being advised to the contrary, constructed sections of the maintenance track below the surrounding ground level. As a result they were prone to flooding following local rainfall and not just when the River Great Ouse flooded and as there was no means for the water to drain away, the path remained flooded for very long periods of time, rendering it unusable to cyclists and pedestrians for much of the year. As a result, on 14th December 2010 Cabinet had approved the development of designs to rectify the flooded and poorly drained section of the maintenance track between Swavesey and St Ives. Following this, designers were appointed to develop proposals in consultation with the Environment Agency.

It was reported that proposals had now been developed for each of the affected sections to rectify the flooding and drainage issues, in consultation with the Environment Agency. The solutions involve raising the maintenance track so that the track only flooded when the surrounding flood plain was also flooded. The detail was set out in sections 3.5 to 3.9 of the report. It was reported that the Busway Project Manager was making his own independent assessment of the cost of correcting the defective maintenance track, which would be claimed back from BAM Nuttall.

An additional recommendation d) was also proposed following an oral update that confirmation had been received that the County Council would receive £150k extra funding to resurface the cycle track from Swavesey to St Ives with black top surfacing. In reply to a question on how often this surface would need to be replaced, it was indicated that as the number of vehicles using it would be very limited it would have a longer life than most roads, the expectation being that it would last 10-15 years before any significant maintenance was required.

The Local Member for Coleridge who had requested to speak as local member requested to put on record his congratulations to all the officers / members involved in what had been a very difficult project. In terms of the new proposed Contract Resolution Group, he raised concerns that a Cabinet Member was not part of the group to ensure a strong democratic input to safeguard the interests of local tax payers. In response, the Leader of the Council indicated that this had been carefully considered and it was felt appropriate that officers should be involved in day to day negotiations and that Members

should only become involved if the issues escalated, as a result of no agreement being reached. He assured the Member that he would be overseeing the process to seek to ensure best value for money for local taxpayers and that decisions on the resolution of the contract would be made by Cabinet.

**It was resolved:**

- a) to approve the establishment of a Busway Contract Resolution Group in accordance with the Terms Of Reference set out in Appendix A of this report;
- b) to delegate the authority to this group to:
  - direct any necessary legal action to secure resolution of the dispute and to enter into negotiations or mediation on behalf of the Council arising from the dispute;
  - consider any settlement proposal made to the Council by BAM Nuttall Ltd and if, in consultation with the Leader, Cabinet Member for Growth and Planning, Cabinet Member for Resources and Performance and the Chief Executive, they consider that such a settlement represents best value to the Council, taking all relevant factors into consideration, recommend the proposal to Cabinet; and
  - subject to consultation with the Leader, the Cabinet Member for Growth and Planning, the Cabinet Member for Resources and Performance, and the Chief Executive, reject any settlement proposal by BAM Nuttall Ltd that does not, taking all relevant factors into consideration, represent best value to the Council.
- c) to approve the raising of the defective maintenance track in the River Great Ouse flood plain to resolve the flooding and drainage issues.
- d) Approve in principle the blacktop surfacing of the maintenance track between Swavesey and St Ives, thus completing the blacktop surfacing of the whole of the maintenance track. The final details, programme and funding of this to be approved by the Cabinet Member for Growth and Planning in consultation with the Acting Executive Director, Environment Services.

**399. PROPOSED AMENDMENTS TO SPECIAL EDUCATIONAL NEEDS (SEN) HOME TO SCHOOL TRANSPORT REPORT**

Cabinet received an update to the report agreed at the 24<sup>th</sup> May Cabinet meeting on a revised Special Educational Needs (SEN) Home to School Transport policy in relation to transport provision for children and young people with statements of special educational need. Some concerns had been expressed at that earlier meeting in respect of the detail of the Policy and one specific error had been identified. The current report brought forward some amendments as set out in paragraphs 2.2 to 2.4 of the report to help make the policy clearer and to provide greater clarity to families.

For the record the Cabinet Member for Children and Young People's Services clarified that the policy was not about and never had been about ending free home to school transport for children with statements of Special Educational Need. Free transport would continue to be provided regardless of age or distance, if the child's condition meant that he or she could not walk to school within an acceptable time. Where children met the criteria for receiving free transport, parents or carers would be asked if they wanted to transport their children to school with the County Council refunding their fuel costs. He emphasised that no parent or carer would be obliged to do this and that the County Council would still provide free transport if asked to do so.

The Cabinet Member for Children and Young People's Services also reiterated that parents and schools had been consulted before the report had been drafted for the May Cabinet which included an equality impact assessment which had been used to guide the Cabinet's decision making at that meeting. He also reminded those present that an appeals process was to be put in place if parents or carers remained unhappy. He reassured the meeting that as previously reported, officers would implement the policy flexibly, particularly in the first year, taking full account of the individual circumstances of children and their families.

The local Members for Castle and Newnham spoke fully supporting the changes proposed. In response to comments made by the Castle member where she made reference to a massive shift in Council Policy and suggested that the original changes made in May did not meet statutory aims, the Leader of the Council took exception to what he stated was a blatant misrepresentation of the facts on what was a simple clarification exercise. He made reference to the misrepresentation being included in unhelpful public statements which had resulted in escalating unnecessarily, the otherwise legitimate concerns, of parents.

**It was resolved:**

To approve the proposed changes to the Special Educational Needs (SEN) Home to School Transport Policy as set out in 2.2 to 2.4 of the report.

**400. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR YEAR ENDING 31<sup>st</sup> MARCH 2011**

Cabinet received the year end report for the 2010/11 financial year.

The key issues were as follows:

- Revenue Budget; overall the outturn position was a -£3.3m underspend (-1.0%) for 2010/11 a significant achievement following the financial cuts the County Council had faced this financial year as detailed in section 12.1 of the report with information on the key exceptions provided in section 3.2.
- Key Performance Indicators; overall 25 out of the Council's basket of 32 key performance indicators were on target at year-end. (Section 9 of the report provided further details).
- Capital Programme; 108 out of 202 current projects were on time and budget at year-end. This was mainly as a result of slippage and cuts to the programme. It was highlighted that there was a shortfall of £4m in capital receipts that would require a

Cabinet decision on Prudential Borrowing to bridge the funding gap. In addition, Cabinet was also asked to agree to the drafting of a Deed of Variation in relation to Brightfield Investments – Section 106 Agreement: Land at Evolution Business Park, Butt Lane, Milton, Cambridge, following legal advice that there was no possibility of enforcing the judgement to recover £93,749 in relation to a negotiated Section 106 Payment as currently the firm could not afford to make the payment. The firm had therefore sought deferral to a later date once property they owned was rented out and monies were available (The detail was set out in section 10.2 of the report)

- Balance Sheet Health; the end of year figure showed the variance of actual net borrowing and with investments of £19m at the end of the year the budget had come in with a small underspend of -£211k. (section 11.2 of the report provided further details).

For the record the Executive Directors and their teams and in particular Community and Adult Services and Children and Young People Services were congratulated on coming in on or below budget, especially as these two had identified significant overspend pressures during the course of the year. While the efforts were rightly commended, Cabinet was reminded that savings of £50.4m were required to be made in 2011/12 and £160.6m new money savings achieved over the next five years.

**It was agreed:**

- a) to note the revenue expenditure of Services in 2010/11, and in particular the delivery of a better than break-even position (section 3.1 of the report);
- b) to approve the Prudential Borrowing requirement of £4m to bridge the shortfall in capital receipts funding (section 10.2 of the report).
- c) to consider the Legal advice and agree to the drafting of a Deed of Variation in relation to Brightfield Investments – S106 Agreement: Land at Evolution Business Park, Butt Lane, Milton, Cambridge (section 10.2 of the report).

**401. LOCAL GOVERNMENT SHARED SERVICES (LGSS) UPDATE FINANCE AND PERFORMANCE REPORT - MARCH / YEARS END 2011**

Cabinet received and noted the contents of the March / end of year financial performance report which showed against a budget of £32,896k there had been an underspend of 1,697k, Significant issues included the following with more detail set out in appendix 1 to the report.

- The Finance & Procurement Cambridge Office had achieved an outturn underspend of -319k for the year.
- The Finance & Procurement Northampton Office has achieved an outturn underspend of -£232k for the year.
- The Human Resources & Organisational Design Cambridge Office has achieved an outturn underspend of -20k for the year.
- The Human Resources & Organisational Design Northampton Office has achieved an outturn underspend of -576k for the year.

- The Operations Cambridge Office is predicting a breakeven position for the year.
- The Operations Northampton Office had achieved an outturn underspend of -739k for the year.
- The Human Legal Cambridge Office had achieved an outturn underspend of -220k for the year.
- The Legal Northampton Office has an outturn overspend of 408k for the year as a result of an under-recovery of income in the first half of the financial year, partly due to activity undertaken to achieve the Lexcel accreditation but was not seen as significant.

**It was resolved:**

- a) to note the contents of the attached report (Appendix 1) covering the period to the end of March 2011 of the Local Government Shared Service (LGSS) operation; and
- b) to note that key performance measures were still being formalised.

**402. DRAFT CABINET AGENDA**

**It was resolved:**

To note the agenda plan with the following changes:

- Item 5 Civil parking Enforcement - South and East Cambridgeshire Moved to September Cabinet
- Item 9 Additional Primary School Places from September 2011 taken off now off July agenda
- Item 10 Transfer of Undertakings (Protection of Employment) Regulations (TUPE) Mental Health Social Care moved to September
- New Report to be added: Withdrawal of Bus Service Subsidies and the Judicial Review

Chairman  
5<sup>th</sup> July 2011

## Appendix 1

### PETITIONS OPPOSING CLOSURE OF GAMLINGAY VILLAGE COLLEGE

Julia Richardson in her presentation highlighted issues on behalf of the wider community concerned with the potential closure such as:

- That the petition was a way of showing the overwhelming support in the local community to keep future education provision in Gamlingay
- While they understood money should not be wasted, financial reasons should not be given ahead of the education of children
- Financially it would be more expensive with children having to be bused to Bassingbourne if one of the other options was agreed
- Parental and family contributions to school activities would be more limited
- There was no public transport to Bassingbourn from Gamlingay
- Concerns were expressed over the choice of further education training or employment prospects
- Local shops were concerned regarding the impact of fewer children and parents in the village
- Childminding employment in the village would be reduced
- Concerns that the heart would be ripped out of the community if the school closed
- Local people supported the clubs and societies which were now in jeopardy and if GVC was sold, community and family events would be threatened.
- Local people did want to lose localism in terms of services such as the gym which if closed would not be replaced. The gym allowed junior members to use it from 4 to 5 p.m. which would not be possible if they had to travel to Bassingbourn.
- Good strong families helped society work well and families needed support to stay together and younger children would spend more time away from the family
- The local community wished to have a say in factors that affected their children's health and care with GPs making referrals made to the gym, and as the school was within walking / cycling distance this was crucial for children's physical, mental and emotional well-being
- The belief that schools should be made better so everyone had the best chance in life and prevent problems happening later on and parents felt that even through special measures GVC provided closer ties with the community
- Parents felt that Gamlingay First School was currently excellent and would be spoilt if it was expanded.
- There was concern of the dangers of the rural roads leading to Bassingbourn.
- The effect on the environment as more buses would be required with obvious pollution and associated health risks.

In her sum up she highlighted that the community had come together and was determined to keep GVC open for the wider community and not just for the children and stressed that one size did not fit all and that the current three tier system suited the local community.

### **Summary of submission of Michael Jones the Chair of Governors at Gamlingay College. (transcript provided)**

In terms of leadership:

- The governing body was effectively new and included a wide range of skills relevant to current circumstances
- The acting head teachers in post were convinced that the school could be successfully turned around
- One of the major stated concerns was the perceived difficulty in securing leadership from September and he was delighted to report that discussions had taken place and an experienced headteacher (local leader of education) who knew the school was keen to come in on a full time 1 year secondment from September with arrangements currently being finalised.
- Beyond that, the school governors preferred option of federation with Stratton Upper would mean they would have an excellent teacher support together with early access to and support from their large and experienced leadership team.

In terms of teaching:

- Recent lesson observations already showed signs of improvements
- Step changes were expected from September and the agreed strategy with the local authority was to bring in outstanding teaching to not only directly improve classroom lessons but also to inspire act as mentors to staff.
- Two candidates had been identified and their input and staff restructuring work already agreed would mean that approximately 45% of teaching would then either be “good” or “outstanding” which would clearly be a major improvement to that quoted in the officer’s report.
- The move to federation would have the benefits of increasingly making closer the links withy Stratton, a training school, which would be able to offer a raft of opportunities for staff development and training.

In terms of Standards:

- The Governing body had now completed an assessment of all pupil’s current levels. This had been externally moderated to ensure it was robust. A further round of testing was to be carried out before the end of term.
- A revised curriculum plan was now in place and a revised timetable, appropriate to pupil needs was being trialled in the next few weeks.

He acknowledged that the improvements required would not happen overnight and quoted Ofsted who recognised things often got worse before they became better when changes for improvement were implemented, but believed the actions being taken as set out above were the fastest and most efficient way of ensuring the improvements were secured.

### **Submission from Kate Mingay Chairman of Governors Gamlingay First School (transcript provided)**

After discussion and careful consideration of the three options presented to the governing body of Gamlingay First School made their decision to express their preferred option as being Option 2.

Having previously had training sessions on academies, federations and alternative forms of management they clearly understand the implications for entering into this type of arrangement. Option 1 involving a federation between GFS and GVC was not felt to be a practical option as they did not feel they had the necessary capacity within the school to take on this task, and there were also concerns over the lack expertise of the KS3 curriculum. Option 3 was not considered to be appropriate as concerns over the length of time to actually deliver a new school at Cambourne, and any delays could have a significant impact on the children educationally. Therefore the remaining option, option 2 was carefully considered. They believed that option 2 would allow them to deliver a rapid, significant improvement to the quality of education for the children that were currently in their care. Extending the provision of education at Gamlingay First School by the addition of years 5 & 6 was something that they felt positive about. It was highlighted that their teachers were qualified and experienced in teaching to the end of KS2 and as a very good school with many outstanding features they were in a strong position to be able to recruit high calibre teachers and support staff to further strengthen the teaching team and become an outstanding primary school. This would also bring them in line with the model of education which existed throughout Cambridgeshire. Children at the school currently made good progress in years 3 and 4 and she was confident that the school would be able to extend this and achieve the same high performance at the end of KS2 that they did at the end of KS1. Having cared for and nurtured the children to the end of year 6 they were happy and confident that transferring to Bassingbourn Village College, a good school that outperformed other schools presented as options, would allow their children to continue to access a good standard of education and be successful. She highlighted that they were members of the Bassingbourn cluster of schools and so already had good links which could be developed further to ensure an effective and smooth transition between the schools. Head teachers within the cluster currently met termly, staff visit each other's schools, joint training had taken place and schools jointly accessed counselling services and many other shared links already exist.

On behalf of the governors she expressed serious concerns over the capacity of Gamlingay Village College to make rapid improvement citing that Federation with Stratton was unlikely to be in place until September 2012 which left GVC under interim leadership for another 12 months. There was also no guarantee that the Federation would actually take place. The most recent information from the last month indicated that the quality of teaching had a long way to go to improve, with over 50% of teaching being deemed inadequate and no outstanding teaching in place. It had also been indicated that the school would take three years to come out of special measures, and that children were still performing below government floor levels and would continue to do so for a further two years. If this was the case then this would affect more than half of the children currently in the First School's care, as their year 2, 3 and 4 children would be entering a school still in special measures. This length of time was not acceptable to them, and as a governing body they wanted more for the children they were responsible for.

She highlighted that the governing body at Gamlingay First School was also very concerned of the impact that keeping the village college open would have on the First School's pupil numbers. The funding received was dependant on the number of pupils in foundation and KS1. If GVC were to stay open, there was a very real possibility that parents who did not wish their children to be educated at GVC would move them to alternative schools, and also remove younger siblings from GFS so that their family would all be educated in the same place. If they lost pupils further down the school, then GFS would stand to lose approximately £28,000 of funding and as a result might not be able to sustain 8 classes in the future. If they were forced to reduce to 7 classes, this would result in the possibility of staff redundancies, larger class sizes and also mixed key stage classes through no fault of their own and was therefore not acceptable to them.

She reiterated that the Governing body had always stated that Option 2 was their preferred option but made it clear that parents must make up their own mind as to what was best for their own

children as everybody's situation was different. She believed that the contents of the submission was representative of parents with children at GFS but did understand that there were parents who preferred Option 1 and she respected their right to make this choice. She stated that her governing body did believe that Option 2 gave parents in Gamlingay greater choice than was currently available, as at the moment it was not possible for children to be educated under the two tier system and only change schools once, unless they were educated outside of the village. Operating a two tier system in Gamlingay would still allow those parents who preferred the three tier system to send their children to a Bedfordshire middle school at the end of year 4 and then onto a Bedfordshire upper school.

Summing up she indicated that as a governing body the members had between them four children currently attending GVC and seven children at GFS. As well as their responsibilities as governors of the First School they also had to make personal choices for their own children and she categorically stated that none of the school governors were willing to allow their children to continue to be educated at GVC nor send their children onto GVC whilst the standard of education remained inadequate. She highlighted that if they were not happy to send their own children to the school, then how could the first School Governors with a clear conscience say that it was acceptable for any of the children at GFS for whom they are responsible.

Whilst appreciating that this it was a difficult and emotive subject, as a governing body it was their responsibility to provide the very best possible educational outcome for the children in their care and therefore reiterated that they believed Option 2 was the best option to bring about rapid change to improve the standard of education of the children in the community and provide them with the education that they deserved.

### **Summary of some of the key points made by Rob Watson Headteacher of Stratton Upper School**

- Successful schools were built with community support and involved open communication between staff and the parents as well as being essential for good learning. It was his firm view that the future education of young people in Gamlingay would be best served by the outcome that generated/received the greatest support from the Gamlingay community.
- As a successful school, they knew the value of working with a supportive parent/carer body and believed that locally derived solutions offered the best long-term outcome.
- They endorsed Cambridgeshire's decision, to consult with the population of Gamlingay and to pay particular attention to the views of the locality.
- The governors of Stratton Upper School offered their full support and endorsement to Option 1: that Stratton Upper School formed a hard federation with Gamlingay Village College, which should remain open as a 9 to 13 middle school. They endorsed a vision for education based on good teaching and learning throughout the 0 -19 age range.
- They believed they had the capacity with their management team and the willingness to support this option and provide the means to allow radical change having a demonstrable track record of school improvement.
- They believed that the future of education would increasingly involve federated arrangements. They had strong partnership links to their colleague upper schools, Cambridge University Faculty of Education and the pyramid of lower and middle feeder schools known as the Biggleswade Community Union of Schools (BCUS).
- Stratton Upper School was recognised as a good school with outstanding features (Ofsted 2009) with the capacity to improve further and to contribute to the development of education in other settings.

- Reference was made to the Stratton Training School which was such a success that feeder schools had agreed to co-fund its continuing work. The Training School provided a focus for continual professional development for teachers and support staff across all age ranges. They were also partners in a cross-phase application to become a Teaching School.
- Their teachers had experience of working in Middle schools. Many of their teachers had been developed through the work of the Training School. As a Bedfordshire Upper School, a number of teachers also had direct experience of teaching in middle schools and most of their middle leaders had experience of running curriculum support groups with middle school colleagues.
- It was the unanimous view of Stratton Upper School's Governing Body that Option 1, a hard federation led by Stratton Upper School, offered the most secure, practical and effective way to rapidly improving education outcomes for Gamlingay Village College and that a federation would provide the most secure, stable and productive long term future for education provision in Gamlingay.

### **Summary of some of the key points made by Scott Hudson Headteacher of Bassingbourn School**

- If Option 2 was the preferred option the pupils would have the facility of a good school with outstanding features with a continuous record of improvement which had seen an increase in pupils achieving 5 \* GCSE including English and Maths from 51% 3 years ago to 69%. 92% of pupils went on to further education.
- High quality education provided in a relatively small school which allowed teachers the opportunity to get to know their pupils on an individual basis and provide flexibility to tailor teaching to their individual needs.
- No NEETS recorded at September last year which was a significant achievement.
- They sat in the same cluster of schools as Gamlingay.