

# North Tyneside Council

## Report to Cabinet

### Date: 14 January 2013

#### ITEM 7(b)

Title: Response to Report  
from Overview and  
Scrutiny Committee –  
Kings Priory Consultation

Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Councillor David Lilly

Report from Directorate: Children, Young People and Learning

Report Author: Gill Alexander, Strategic Director for Children, Young People and Learning

Wards affected: All

#### PART 1

##### 1.1 Purpose:

The purpose of the report is to enable Cabinet to consider and respond to a recommendation from Overview and Scrutiny Committee in relation to the formulation of the Council's response to the Secretary of State for Education on the proposals to create Kings Priory School in Tynemouth as an academy school from September 2013.

##### 1.2 Recommendation(s):

It is recommended that Cabinet:

(i) note the recommendation of Overview and Scrutiny Committee contained within the report to Cabinet dated 12 November 2012; and

(ii) request that the Strategic Director for Children, Young People and Learning undertake consultation with the Party Group Leaders prior to the submission of the Council's representations upon the Kings Priory Proposals to the Secretary of State for Education.

##### 1.3 Forward plan:

The requisite 28 days' notice of this report has been given and it first appeared on the Forward Plan that was published on 12 December 2012.

##### 1.4 Council plan and policy framework

The report relates to Priority 2 of the Council Strategic Plan 2012 – 2015: Maintaining excellent education, training and employment opportunities, including apprenticeships and working in collaboration with partners.

## **1.5 Information:**

At its meeting on 5 November 2012 the Overview and Scrutiny Committee considered and endorsed a recommendation from the Children, Education and Skills Sub-Committee for submission to Cabinet. The issue concerned the Council's response to the Secretary of State for Education on the proposals for the merger and conversion to an academy of Priory Primary School and The Kings School in Tynemouth. The recommendation was as follows:

"Overview and Scrutiny Committee recommend that Cabinet submit to Council for determination the Strategic Director for Children, Young People and Learning's recommended response to the Secretary of State on the proposals for Kings Priory School."

Overview and Scrutiny Committee considered that the Kings Priory proposals would have a significant impact on the provision of education in the Borough and that therefore representations to the Secretary of State for Education should be determined by all elected members of the Council.

At its meeting on 12 November 2012 Cabinet received a report from Overview and Scrutiny Committee containing the recommendation set out above. The recommendation was noted and Cabinet indicated that a response would be provided at a future Cabinet meeting.

An interim report regarding the Kings Priory proposals was provided to Council on 25 October 2012. A further report is to be provided to Council, upon receipt of outstanding information, in particular in relation to the consultation process and the proposed admissions policy, to enable all members to participate in an informed debate upon the proposals. The Elected Mayor, Cabinet Member and the Party Group Leaders have received briefings and participated in meetings concerning the proposals.

Cabinet should consider the recommendation of Overview and Scrutiny Committee, together with the decision options in paragraph 1.6, with full regard to the legal position as set out in paragraph 2.2 of this Report.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Note the recommendation of Overview and Scrutiny Committee contained within the report to Cabinet dated 12 November 2012 but determine to take no action in respect of the recommendation.

### Option 2

(i) Note the recommendation of Overview and Scrutiny Committee contained within the report to Cabinet dated 12 November 2012; and

(ii) Request that the Strategic Director for Children, Young People and Learning undertake consultation with the Party Group Leaders prior to the submission of the

Council's representations upon the Kings Priory Proposals to the Secretary of State for Education.

#### **1.7 Reasons for recommended option:**

Option 2 is recommended.

Under the Council's executive arrangements, Cabinet has responsibility for all matters of Council business except where otherwise provided for in law, in particular by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Under these provisions, some Council functions are reserved to full Council, and others are shared between Cabinet and Council.

Making the Council's formal representations to the Secretary of State for Education is an executive responsibility. It is not a matter for determination by Council under the statutory split of responsibilities. The preparation of the response will be carried out by the Strategic Director for Children, Young People and Learning on behalf of Cabinet and will be subject to consultation with the Mayor and Cabinet Member for Children, Young People and Learning. Further consultation with Party Group Leaders could be undertaken if considered appropriate. Arrangements are already in place to enable Party Group Leaders to participate in discussions and for Full Council to debate the proposals. The views expressed through those forums may be taken into account in preparing the Council's representations to the Secretary of State.

#### **1.8 Appendices:**

None.

#### **1.9 Contact officers:**

Gill Alexander, Strategic Director for Children, Young People and Learning. Tel: 643 8001

Louise Watson, Manager Legal Services (Environment, Housing and Employment Team). Tel: 643 5325

Anthony Gollings, Financial Business Manager, CYPL Tel: 643 8071

#### **1.10 Background information:**

[Report to Cabinet from Overview and Scrutiny Committee - Kings Priory Consultation, 12 November 2012](#)

[Report to Overview and Scrutiny Committee from Children, Education and Skills Sub Committee, 5 November 2012](#)

[Report to Council on Proposals for Kings Priory Academy, 25 October 2012](#)

[Local Authorities \(Functions and Responsibilities\) \(England\) Regulations 2000](#)

[North Tyneside Council Constitution](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

This is a procedural matter. There are no direct issues relating to finance and resources from this report.

### **2.2 Legal**

Under the Council's executive arrangements, Cabinet has responsibility for all matters of Council business except where otherwise provided for in law, in particular by the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Under these provisions, some Council functions are reserved to full Council, and others are shared between Cabinet and Council.

Making the Council's formal representations to the Secretary of State for Education is an executive responsibility. Under the statutory framework described, it is not open to the executive to delegate that responsibility to full Council.

Under the Council's Constitution (Part 4.13, A19) where a report is submitted by Overview and Scrutiny Committee to Cabinet, a written response must be provided to the Committee within a two month period. The response should set out what, if any, action will be taken.

### **2.3 Consultation/community engagement**

This is a procedural matter. No consultation has been undertaken.

### **2.4 Human rights**

There are no direct issues relating to human rights arising from this report.

### **2.5 Equalities and diversity**

There are no direct issues relating to equalities and diversity arising from this report.

### **2.6 Risk management**

There are no direct issues relating to risk arising from this report.

### **2.7 Crime and disorder**

There are no direct issues relating to crime and disorder arising from this report.

### **2.8 Environment and sustainability**

There are no direct issues relating to environment and sustainability arising from this report.

### PART 3 - SIGN OFF

- Chief Executive  X
- Strategic Director for Children, Young People and Learning  X
- Mayor/Cabinet Member  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Strategic Manager Policy and Partnerships  X