MINUTES of an EXTRAORDINARY MEETING of the COUNCIL held in the COUNCIL CHAMBER, COUNTY HALL, HAVERFORDWEST on THURSDAY, 25 FEBRUARY 2016 at 2.00p.m.

Present:


Officers in Attendance:

Mr I Westley, Chief Executive
Dr S P Jones, Director of Development
Mrs P Marsden, Director of Social Services and Leisure
Ms K Evan-Hughes, Director for Children and Schools
Mr J Haswell, Chief Finance Officer
Mr C Davies, Head of Human Resources
Mr D Thomas, Head of Highways and Construction
Mrs C Incledon, Head of Legal and Committee Services
Mr H Jones, Professional Officer - Planning Places and Admissions
Mrs S Sanders, Committee Services Officer
Mrs E Prout, Committee Clerk (part of meeting)

Apologies for Absence:

Apologies for absence were received from Councillors P R Baker, J T Davies, L L Frayling, K Lewis, J S Preston, T B Tudor, A W Wilcox and G Woodham.

350. Declarations of Interest

Members of the Council declared the following interests in relation to the Review of Secondary Education in Mid and North West Pembrokeshire – Haverfordwest proposals:

Councillor R M Stoddart declared a prejudicial interest by virtue of his daughter being employed by Pembrokeshire College. He advised Council that he had been granted a dispensation to speak and vote.

Councillor P Kidney declared a personal interest by virtue of his brother being employed by Pembrokeshire College.

Councillor Tessa Hodgson declared a prejudicial interest by virtue of her sister being employed by Pembrokeshire College. She advised Council that she had been granted a dispensation to speak and vote.
Councillor Mrs V M Stoddart declared a prejudicial interest by virtue of her daughter being employed by Pembrokeshire College. She advised Council that she had been granted a dispensation to speak and vote.

Councillor G Price declared a personal interest by virtue of being a Governor of Ysgol Wdig, appointed by the Authority.

Councillor Umelda Havard declared a personal interest by virtue of her grandson attending Ysgol Bro Gwaun.

Councillor J A R Nutting declared a personal interest by virtue of his daughter attending Pembroke School.

Councillor P A Stock declared a personal interest by virtue of his two daughters being employed as LSAs at Tasker Milward School. He advised Council that he had been granted a dispensation to speak and vote.

Councillor M J John declared a personal interest by virtue of his wife being employed by Pembrokeshire College.

Councillor P J Morgan declared a personal interest by virtue of being a Governor at Tasker Milward School, appointed by the Authority.

Councillor D M Edwards declared a personal interest by virtue of being a Governor at Sir Thomas Picton School, appointed by the Authority.

Councillor S Yelland declared a personal interest by virtue of being a Governor at Tasker Milward School, appointed by the Authority.

Councillor D M Bryan declared a prejudicial interest by virtue of his wife being a member of the Trust and he stated that he would withdraw from the Chamber during consideration of this item of business.

Councillor D K Howlett declared a personal interest by virtue of being a Governor at Sir Thomas Picton School, appointed by the Authority.

Councillor S T Hudson declared a personal interest by virtue of being a Governor at Sir Thomas Picton School, appointed by the Authority.

Councillor H M George declared a prejudicial interest by virtue of the fact that two close family members were employed in two of the schools mentioned in the main body of the report. He advised Council that he had been granted a dispensation to speak and vote.

Councillor J L Adams declared a personal interest by virtue of being the Chairman of the Governors of Roch School, appointed by the Authority.

Councillor S L Hancock declared a personal interest by virtue of being a Governor at Sir Thomas Picton School, appointed by the Authority.

Councillor M Pepper declared a personal interest by virtue of being on the Board of Corporation of Pembrokeshire College, appointed by the Authority.
Councillor Daphne Bush declared a personal interest by virtue of being the Chairman of Governors of Pembroke School and a Governor of Golden Grove School.

Councillor N P Harries declared a personal interest by virtue of being a Governor of Ysgol Bro Ingli, appointed by the Authority.

Councillor K Rowlands declared a personal interest by virtue of being the Chairman of Governors at Johnston School.

Councillor R G Summons declared a prejudicial interest and he advised Council that he had dispensation to speak and vote.

Councillor D G B Lloyd declared a personal interest by virtue of being a Governor at Ysgol Dewi Sant, appointed by the Authority.

Councillor Lyn Jenkins declared a personal interest by virtue of being a Governor of Solva School, appointed by the Authority.

351. Review of Secondary Education Provision in Mid and North West Pembrokeshire - Haverfordwest Provision

[Councillor D M Bryan having previously declared a prejudicial interest in this item of business and withdrew from the Chamber.]

Council considered a report by the Director for Children and Schools outlining the feedback on the statutory consultation undertaken with the Trustees of the Tasker Milward and Picton Charity as approved by Council at its Extraordinary Meeting held on 26 November 2015.

Notes of a meeting held with the Trust on 12 January 2016 and copies of correspondence received from the Trustees were appended to the report.

Details of the matters raised by the Trustees' in their formal response and the Council's appropriate response thereon were also set out in the report for Members' consideration.

In introducing the report, the Leader of Council explained the purpose of the report and he stated that the case for change remained unchanged in that school standards were not good enough in both Haverfordwest schools. He stated that the focus of reorganisation was about school improvement. The Leader reminded Council that both schools were in Estyn follow-up categories and had been placed in amber and red national categories of support. He referred to the key education performance measures, and he pointed out that Sir Thomas Picton School's performance for GCSE was 58.3% compared to the highest in its Welsh family category of 87% and similarly for Tasker Milward School, performance was 45.1% compared to 76% in its family category. Furthermore, the Leader pointed out that the highest performing schools in the ERW Region were 11-16 schools.

The Leader drew Council's attention to Paragraph 3.4 of the Welsh Government’s School Organisation Code which stated that, in essence, in the case of proposals to reorganise schools for which land and/or buildings were
held on trust, the proposer must conduct consultation with the trustee before publishing the consultation document. Furthermore, that the proposer must allow 28 days for the receipt of comments and must have due regard to those comments before any decision being made to proceed to general consultation.

The Leader stated that the Tasker Milward School site was partly belonging to the Trust with the remainder of the land owned by the County Council. The Leader referred to the charitable status of the Trust under the 1983 scheme and he stated that the Authority’s proposals were inconsistent with the requirements of the 1983 scheme and that the scheme would need to be amended.

The Leader advised Council of the importance of focusing on the educational needs of the current and future pupils of the two schools. He pointed out that a difficult decision would have to be made which appeared to be controversial and unpopular and he referred to the challenges faced. The Leader stated that Council was the right body to make the decision, not the Trustees. He advised Council that if Members were minded to put forward an amendment to the recommendation, to remember that there had been 74 options considered and he questioned what possible option could be put forward which had not already been considered. He further reminded Members that this could be the last chance for the investment opportunity to ensure parity of opportunity for all pupils of Haverfordwest at present and in the future, rather than maintaining the history of the school. The Leader stated that the education results of the schools must be improved and he questioned how the amalgamation of the two current schools would create improved results.

The Leader commended the report to Council and he Moved the Recommendation set out in the tabled paper; Seconded by Councillor H M George.

Members of Council took the opportunity to express their views and seek clarification on matters and the key points were noted as follows.

Councillor D M Edwards spoke in support of an 11-19 school which he considered would be one of the best schools in Wales which he stated was supported by the Headteachers and Teachers of both schools in Haverfordwest. He considered that it was unfair for Haverfordwest pupils to not have a school with a sixth form as was the case in other areas. He pointed out that some Members had indicated that they could not support an 11-19 school due to the impact that could have on the Sixth Form college and he asked the Leader to respond on that point.

In response, the Leader stated that this was the last chance for investment in Haverfordwest. He questioned how an 11-19 school would improve education results in Haverfordwest as the two schools were performing below par. He stated that the option would not be transformational in terms of addressing educational performance. He stated that May 2019 was the Welsh Government’s cut off for the current funding programme and he sought clarity on the timescale to deliver a different proposal in terms of complying with the statutory process of re-consulting with the Trust and coming back to Council and being able to deliver the proposal in that timeframe.
The Head of Highways and Construction advised Council on the timescale for construction of the project. He stated that the funding had to be spent by 2019 giving three years to spend £32.1m on the English medium scheme alone. He advised that if the scheme was supported today, then a full business case would need to be approved by the end of the calendar year; and that the tendering process and start of construction would have to be in place for next year in order to deliver the project of that value in the timescale. For comparison, the Head of Highways and Construction further advised that the Pembroke Learning Campus would commence soon and that construction project was valued at £18m and that it had taken 3-4 years to get to that point. On that basis, he stated that timescales were very tight and that the implications were that the tighter the construction period, the higher the risks associated with the construction.

Councillor D G B Lloyd referred to his involvement with the Steering Group responsible for the transitional arrangements for A Level provision to provide a centre of excellence. He stated that the development was an exciting project and an amazing opportunity that he considered should not be passed over and he expressed his support for the proposals.

Councillor P A Stock welcomed the opportunity to speak as a local Member and he referred to the provision of a brand new state of the art school fit for the 21st Century and its importance for the pupils of Haverfordwest to ensure the best opportunities for them. He stated that the consultation survey undertaken had indicated that 77% had supported an 11-19 school. Councillor Stock considered that the proposal would create a two-tier education system for those in the north compared to those in the south, which he could not support; and he considered that there should be one policy for all. In terms of the response to matter 6 as identified in the report, Councillor Stock stated that there had been four consultations with the Trust and he read out a statement from the Trust which expressed its desire for a state of the art 11-19 school for its students. The statement further indicated that the request for an 11-19 school was not unreasonable and it reflected the wishes of parents, children and teachers and would provide similar provision to other areas of the County.

Councillor D K Howlett accepted that standards were not good enough in the two schools; however, he stated that detailed action plans to remedy the position were in place which had not been mentioned. Councillor Howlett referred to the fact that time was running out and he stated that time would have been saved if there had not been several consultations. He stated that he did not react well to being threatened about the timescales and that the matter was about providing choice. Councillor Howlett referred to correspondence received from the Minister for Education and Skills which outlined the various options available to the Authority and he considered that there was a clear steer that the option of a Sixth Form college under the governance of Pembrokeshire College was the preferred option of Welsh Government. Councillor Howlett referred to the Tribal Report commissioned which had stated that the there should be a Sixth Form in a school in Haverfordwest and he drew Members’ attention to the fact that there had been no mention of that point.

Councillor J A R Nutting expressed his concern that the case had not been made for the college based provision on the evidence provided. He also considered that it was unfair to take away choice of provision.
Councillor R Owens reiterated his previous comments made that a school without a Sixth Form was a school without a heart and soul. He stated that there had been overwhelming support in the consultation for school based Sixth Form which he stated should not be ignored. He referred to the important role of the College and he stated that the matter was one of choice. Councillor Owens urged Members to listen to the people of Haverfordwest and to not support the proposal.

Councillor Susan Perkins, the relevant Cabinet Member, responded to points made and she stated that there would be choice of Sixth Form provision. She stated that she understood the concerns raised about reorganisation, but she stated that there was confusion or incorrect perceptions regarding some aspects of the proposals. She stated that the choice of venue would be outweighed by the choice of pathway available in a larger Sixth Form college. She further stated that all funding for A level provision would be ring-fenced for that provision. She confirmed that the governance arrangements of the Sixth Form college would be overseen by the A Level Committee comprised of the Council and schools, not the College and she referred to the role of the Steering Group set up to oversee the arrangements. Councillor Perkins pointed out that at the beginning of the process, all options had been considered and she reminded Council that the proposal before Members had arisen out of the consultation.

Councillor K Rowlands spoke in support of the proposal on the basis that it would offer a wider choice for pupils in a Sixth Form college organised between the Authority and the College and the wider choice would improve drop-out rates in Sixth Forms.

Councillor Jacob Williams stated that he was of the opinion that the C21st funding for Haverfordwest was in danger and that due to the timeline referred to by the Head of Highways and Construction, delivery of the project might not be possible due to the several consultations having been undertaken. Councillor Williams referred to the matter of the Guildford Diocesan Finance Board case set out on page 39 of the Agenda which suggested that if the Trust applied for a first tier Tribunal, the matter could take three years to resolve. Councillor Williams further stated that the preference for Haverfordwest pupils for an English Medium school could be achieved from the recommendation set out in the report and he sought clarity on that point. Given that time was critical, Councillor Williams stated that it was necessary to get the Trust on board as that would be the only way to fit the project into the timeline available.

Councillor Tessa Hodgson sought clarity on the link between the Pembroke Learning Campus and the decision relating to Haverfordwest provision.

Councillor M L Evans sought clarity on whether Members of Council from the Pembroke area and serving on the Governing Body of Pembroke School and those on the C21st Century Schools Programme Board had a prejudicial interest in the matter given the direct financial implication which had a bearing on the outcome of the vote to be taken.

In response to the two points above, the Head of Legal and Committee Services advised that she had not been approached by Members on the matter and that she was not aware of any concerns raised. In terms of potential conflict, the Head of Legal and Committee Services stated that in her view there were no
issues of concern in that the report before Members was in relation to the position with the Trust and whether to go out to consultation on the proposals.

Councillor Tessa Hodgson referred to there being no mention of the site for the new school in the Recommendation. She also referred to the Masterplan document which stated that the Tasker Milward School site was too small to merge the two schools and would be costly in terms of decanting; and that Sir Thomas Picton School had better facilities. Furthermore, she asked for clarification on the location of the proposed new school.

The Leader responded to points made by Members of Council. In terms of consultation, he stated that it had been undertaken in compliance with the statutory framework. The Leader stated that the choice of subjects was far more important than choice of location. In terms of the perception of Welsh Government steering the Council’s decision, the Leader stated that it was understandable that the comment had been made as a preference and that it was likely that the Director for Children and Schools would do the same as part of the decision making process. He stated that the Tribal Report had been an informing document to inform the process undertaken. In terms of drop-out rates for A Levels, the Leader stated that it was around 30% of Year 12; and, furthermore, that of the 45% that undertook A Level study, the success in achieving A-C grades was just over 50% of those who started A Levels which was disappointing.

With reference to the danger of losing the funding, the Leader stated that there would be further opportunity under Band B funding in 2020, but he pointed out that the funding was in place now for Haverfordwest. He stated that the Tasker Milward School site was the best site in his mind, but that it could be ruled out by the intransigence of the Trust. Furthermore, he stated that the option had come from the Stakeholder Group and he reminded Council that the process had begun with 74 options.

Councillor S T Hudson expressed his disappointment with the reference made to the performance of Tasker Milward School. He pointed out that in October 2014, 77% had supported an 11-19 school out of 4000 responses. He expressed his concern over the proposals to remove choice from pupils of Haverfordwest when other areas were retaining their school based Sixth Forms. He further expressed his concern for tertiary education by the back door in the north of the County and a two tier education system which he stated he could not support.

Councillor Pat Davies stated that school reorganisation should be on the basis of raising standards, which were currently at rock bottom. Councillor Davies referred to the work of the Children and Families Overview and Scrutiny Committee in scrutinising the standards in secondary schools. She stated that the Haverfordwest School Governors were in denial of the standards in their schools and she stated that it was disappointing that the Haverfordwest Members or Trustees had not been present to listen to the report given on standards in Tasker Milward School. Councillor Davies considered that the merging of two struggling schools would not be transformational and would not attract C21st Schools funding. She referred to value added data and she pointed out that the figure for Tasker Milward School was -16.6 for KS3-4 compared to 2.2 for the national family average. She also referred to the number of pupils
attending Tasker Milward School having significantly reduced. Accordingly, Councillor Davies stated she could not support an 11-19 school.

Councillor M L Evans referred to the overwhelming support for the Haverfordwest community for an 11-19 school and that the Tribal Report had supported a school based Sixth Form. He referred to the College’s remarks that an 11-19 school would not impact on its plans for Sixth Form provision which would operate side by side with the school based provision. He stated that the proposals had not reflected the views of stakeholders. Councillor Evans referred to the matter of teachers and lecturers being paid different rates and he considered that would be unworkable.

Councillor M Pepper supported the proposals as an opportunity to provide equality of opportunity and parity of esteem for 11-16 provision across the County.

Councillor M J John expressed his concern over whether an 11-19 school would be obtainable and that there might be no investment for four years if the current opportunity was missed, with no guarantee of future investment. On that basis, he stated that he was minded to support the proposals for fear of failing a whole generation of pupils. Councillor John sought clarification on the impact of the proposals on the Welsh Medium provision.

Councillor R M Stoddart considered that the reorganisation was not connected with the improvement of standards. He stated that effective leadership and the quality of teaching were the drivers for improving educational outcomes and standards, as well as strong political leadership and that buildings had a marginal effect. Councillor Stoddart expressed concern that the outcome had been inevitable as Members were being advised that any amendment would cause delay and thereby jeopardise the project.

As a Governor of Tasker Milward School, Councillor S Yelland assured Council that the Governors were working hard to move the school forward and he considered the remarks made about the school’s performance were upsetting to the school. Councillor Yelland stated that the decision was an important one for choice of provision and he expressed concern that the choice was being narrowed. He advised he would not support the proposals.

Councillor P N Miller accepted the points about poor standards; however, he stated that he remained unconvinced that the proposals for reorganisation would improve standards on the basis that there was no information on how that matter would be addressed.

Councillor R P Kilmister referred to the risk of forfeiting the investment opportunity necessary for Haverfordwest. He stated that the matter was being driven on financial considerations and the lack of subject choice if not combined with Pembrokeshire College. He also considered that a Sixth Form could be viable in Haverfordwest and he stated that the provisions should not discriminate against pupils from different parts of the County. He considered that the consultation process had been confusing for the public.

In responding to Councillor Jacob Williams’ question on whether the Recommendation could allow the option of Sixth Form provision based in the
new school, the Director for Children and Schools advised that it would constitute a new material change and would require a further 28 day consultation with the Trust; and that the matter would have to come back to Council in mid April for determination and as such would delay the timescale.

The Leader responded to further points raised by Members of Council. He stated that the process had commenced with 74 options and that the Headteachers of both schools had been in attendance at the Stakeholder meeting to discuss the options. He further stated that the proposals were not tertiary education. The Leader referred to examples of education provision at Flintshire and Merthyr where similar proposals had been introduced and he stated that there had been a 16% increase in GCSE performance in those areas in two years. In terms of Pembroke Learning Campus, the Leader stated that the building would not be lost; that it was currently in Stage 1 – the school and vocational centre. He stated that it would be depend on whether the College required additional capacity. With regard to the Welsh Medium school, the Leader advised that the project was safe and that a site would have to be identified for the statutory notice due to be undertaken in May, subject to confirmation.

Furthermore, the Leader acknowledged that quality teaching and learning and effective leadership were key drivers, but he stated that that could not happen without an effective building. In terms of Tasker Milward School, the Leader reported that its budget was £108k in deficit and was projected to increase by 45% by the end of the financial year. The Leader stated that in meetings with the Trust there had been a total intransigence of views. He further stated that the proposals provided an opportunity for a co-located site on the Tasker Milward School site which had been agreed by Council and the College and he considered that the process had been affected by the actions of the Trust, which was beyond the control of the Authority.

The Leader stated that 11-16 models were the highest performing schools in the ERW region and that the Director for Children and Schools could be asked to take Members to view other facilities of education provision in the respective families for comparison purposes.

In responding to Councillor Tessa Hodgson’s question on the statement in the Masterplan relating to the feasibility of the Tasker Milward School site, the Leader stated that the site was capable of housing an 11-19 school if that was the decision of Council; however, he stated that he was not advising Council to proceed on that basis.

A Recorded Vote having been requisitioned, the votes were noted as follows:

**FOR**

J L Adams  
J S Allen-Mirehouse  
Daphne Bush  
Pat Davies  
W E Evans  
H M George

**AGAINST**

R G Bowen  
J A Brinsden  
D M Edwards  
M L Evans  
Umelda Havard  
Tessa Hodgson
RESOLVED

(a) That the response of the Trustees of the Tasker Milward and Picton Charity be noted.

(b) That the Director for Children and Schools be authorised to undertake general consultation on the proposal to:

(i) Discontinue Sir Thomas Picton and Tasker Milward VC Schools;

(ii) Establish a new 11-16 English medium secondary school in Haverfordwest and to provide additional ALN provision for pupils with complex learning needs;

(iii) Provide post 16 provision for the above school in a new sixth form centre as part of a formal collaboration between the County Council and Pembrokeshire College with some accommodation co-located on the site of the 11-16 school.
(iv) Express a preference to implement a Hub and Spoke model when and where it is practicable to do so.

The meeting ended at 4.28p.m.