



meeting	CABINET	
date	25 July 2007	agenda item number

REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES

The Future of Sherwood Hall School and Sixth Form College, Mansfield: Section 29 Notice

Purpose of report

1. This report seeks the approval of Cabinet for the implementation of the proposal to close the above-mentioned school with effect from 31 August 2008.
2. This proposal is a key decision as defined by the category 'Opening, merging or closing schools' in the Constitution and was first published in the Forward Plan in March 2007.

Information and advice

Background

3. A formal proposal was agreed by Cabinet at its meeting on 2 May 2007 and under the provisions of the School Standards and Framework Act 1998 effective at that time, the LA was required to publish a Section 29 Notice. An appropriate Notice was subsequently published on 23 May 2007 which proposed that Sherwood Hall school should be closed from August 2008.
4. There is a six week period following the publication of a Notice during which objections and comments can be made.
5. The Notice expired on 4 July 2007 and at the time of writing this report, no representations have been made to the proposal. A verbal update will be given at today's meeting on whether any subsequent representations have been received.
6. As reported to Cabinet on 2 May, the proposal to formally close Sherwood Hall is part of the statutory process for the school to be replaced by a newly established academy with effect from 1 September 2008.

Decision to implement proposal

7. Subsequent to the publication of the above-mentioned Section 29 Notice, new statutory regulations came into force on 25 May 2007. These new regulations abolished School Organisation Committees and empowered to LAs the responsibility for determining proposals such as described in paragraph 8 of this report.
8. The final decision on the Notice therefore, irrespective of whether objections to the proposal are received, falls to Cabinet to determine. Members should take particular note that if any approval decision is made, this would have to be conditional pending the funding approval by the Secretary of State for the establishment of the proposed academy. This condition is to safeguard the LA in making sure it is not left with a duty to implement its proposal without it being replaced by a proposed and implemented alternative.

Statutory and policy implications

9. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service. Where such implications are material, they have been described in the text of the report. Attention is however drawn to the following:-

Personnel implications

10. Any transfer of employment resulting from any establishment of an academy would be covered by TUPE arrangements.

Financial implications

11. As reported to Cabinet on 29 March 2006, during 2005 Sherwood Hall was found to have a sizeable deficit budget in the order of £650,000 that would take some years to balance. Any closure of the school would mean that the school's deficit budget would have to be met from the Dedicated Schools Grant.

Equal opportunities implications

12. The new academy should provide significant additional opportunities for the young people and community members in an area of significant social and economic disadvantage.

Implications for service users

13. The approach to the future of Sherwood Hall School is intended to create a "step change" which would improve the quality of provision at the school for the benefit of pupils, parents and other community members.

RECOMMENDATION

14. That subject to the approval of appropriate funding for a new academy by the Secretary of State as outlined in paragraph 8 of the report, the proposal contained in paragraph one of this report to close Sherwood Hall School and Sixth Form College with effect from 31 August 2008, be approved by Cabinet.

COUNCILLOR JOYCE BOSNJAK

Cabinet Member for Children and Young People's Services

Reasons for recommendation

15. To approve the educational provision at and secure the future of Sherwood Hall School.

Other options considered

16. These are set out in the report to Cabinet on 29 March 2006.

Legal Services' comments (LM/29.6.2007)

17. Cabinet has the delegated authority to approve the recommendations in the report in order to discharge the County Council's functions as Local Education Authority.

Strategic Director of Resources' financial comments (NDR)

18. The financial implications are set out in the report.

Background papers available for inspection

Nil.

Electoral division affected

South Mansfield

M19C1866