

Lead Member for Children's Services
Email address cllr.n.airey@rbwm.gov.uk
Phone number 07583 074039

Mr Rooney and Dominique Du Pré
Lowbrook Academy
The Fairway
Cox Green
Maidenhead
SL6 3AR

6 July 2017

Dear Mr Rooney and Ms Du Pré

Thank you for your letter dated 30th June. In responding, I seek to address and clarify the issues you have raised.

Last Tuesday's full council meeting was the second opportunity for members of the administration to freely vote on the proposed Lowbrook expansion, and the first public meeting for all elected members to do so. In both the group vote and council vote there was not a majority of councillors who supported the additional £775k being given to the project.

It was impossible to predict how close a vote it would be, and I understand the frustration that resulted with the vote being tied, resulting in the Mayor having the casting vote. There were 23 councillors who voted against, three who abstained/did not take part in the vote, and eight others not present on the evening. As has been noted, one single vote from any of these members would have changed the outcome, and it was not a clear-cut division across town boundaries with seven Maidenhead councillors voting against the paper's recommendations and four councillors from the south of the Borough voting in favour.

Furthermore, I understand that parents, governors and staff of Lowbrook were disappointed by my decision to abstain. However, I stand by that decision. As I said in the meeting, in order for me as Lead Member for Children's Services to continue to oversee the council's work with Lowbrook, the current secondary schools expansion programme and the forthcoming schools expansion programme stemming from the Borough Local Plan, I presented the paper in a non-biased way and then abstained to ensure I could continue to work fairly and without claims (present or future) of bias towards one school or another. You will note that the two co-sponsors of the paper - Cllrs Saunders and D Evans - both spoke and voted in favour of the paper, so the paper was endorsed by two thirds of its co-authors on the night, as I knew it would be.

I fully support expanding the Borough's good and outstanding schools, and am committed to working with every school in the Borough. I have worked over the past year to support the process of expanding Lowbrook Academy so that the PAN could increase to 60 this September, and demonstrated this through bringing this paper forward to council in order to give Lowbrook the best chance possible to gain the funding for its expansion.

Bringing this paper forward was in direct support of both the school's aspiration to expand and the community of parents who wish to send their children to Lowbrook. As has been previously stated, expansion of Lowbrook Academy is not an expansion to provide sufficient school places within the Borough as there are ~70 surplus places for the coming year at a range of other schools in Maidenhead (with Lowbrook's expansion, this would have been ~100), and was therefore beyond basic need. It was a choice for the full council to borrow a further £775k on top of the allocated £1.6million + £200k of council tax payers' money, and whilst the paper recommended allocating the funds, the council decided not to support this course of action.

Unfortunately, regardless of the outcome of the vote last week, the school has been clear with the Council over recent months that it would not be able to increase the PAN from 30 to 60 for September, and as such the affected parents would be unable to secure a place for their children for the start of this academic year even if the funding had been granted last Tuesday. Consequently, every child who did not get into Lowbrook has been allocated a space at another good or outstanding school. Whilst I recognise that this has not been the outcome parents wished for, it has been the only option available to the Council to ensure that each of the additional 30 children have a school place ready for September.

To address the issues raised of adherence to the constitution, on behalf of concerned Lowbrook parents Cllr McWilliams asked the Borough's Head of Democratic Services and Head of Legal whether it is constitutional for a lead member to present and then abstain on their own paper. Their response was as follows:

I can confirm that the constitution is silent on the issue of a Lead Member putting forward a paper and then abstaining on the vote.

However the Code of Conduct is clear that Members should follow the principles of public life including integrity, objectivity and openness. In this case, as was clear from Cllr Airey's statement at the meeting, she would have felt conflicted in voting either way and sensibly decided to abstain. If she had voted on this issue, she could be challenged on future decisions about funding for the expansion of other schools. She therefore abstained to retain her objectivity.

This is not a case of precedent; it is for each councillor to consider their individual position, in particular in relation to votes at meetings.

It should be noted that this is not the first time a lead member has put forward a paper in their name and then abstained from voting on it.

Additionally, your letter raises the issues of perceived undemocratic processes with regards to Lowbrook's input into the paper and the council meeting itself. With regards to the paper, officers incorporated the school's input into the April version (delayed due to purdah) into this paper as well as meeting with the school on site to go through the June paper. As for the meeting itself, I do not oversee procedures for council meetings. However, I note the school was granted an extended deadline for submitting questions so it could be best represented within the permitted format for the meeting. Regarding your

Town Hall, St. Ives Road, Maidenhead, SL6 1RF

W: www.rbwm.gov.uk E: customer.service@rbwm.gov.uk T: 01628 683800

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statement of the school being marginalised by the Council since the General Election, I am unsure to what this refers specifically, but am aware that the Borough's education team have been working with the school and continues to do so.

With regards to your concerns over potential misrepresentation in the meeting of Lowbrook's community involvement, I was careful to correct the misunderstanding that Lowbrook does not contribute more widely in the community, and you will note that the printed draft minutes state in my response to questions and issues raised:

Councillor Dr L Evans had suggested Lowbrook should help other schools. The headteacher was deputy head at Holy Trinity Cookham and had helped it move out of Requiring Improvement to Outstanding in 2015. The council was grateful for his work there.

The council is fully aware of the significant contribution that Mr Rooney has made in other schools, and particularly his work as Executive Head at Holy Trinity in Cookham. It was with great sadness that I heard of his suspending the role at the Lowbrook Governors' request and hope this will be short-lived for the benefit of pupils attending Holy Trinity.

Should you have any further concerns over adherence to the constitution or the procedures followed in the meeting, you can raise these directly with the Managing Director, Alison Alexander.

Looking to the future, you will be aware from my announcement at Cabinet last week that the Borough is conditionally gifting the land purchased from Cox Green School to Lowbrook Academy. The land was purchased with the sole intention of seeing Lowbrook expand, and is being conditionally gifted in order to give the school the very best chance of securing external funding for the expansion. Officers are doing the necessary legal work this week to change the leases for the land, and are in contact with the school regarding this.

Finally, I understand that Mr Rooney is in regular communication with Kevin McDaniel, Director of Children's Services, regarding possible ways of securing Lowbrook's future expansion. Whilst the council's decision of last week not to fund the additional £775k capital spend cannot be changed, you have seen over the past year and over the past week that the Borough continues to support Lowbrook's aspiration to expand and wishes to work productively together.

Please be assured that this council, its administration and I are committed to working with Lowbrook and all our schools on an ongoing basis.

Yours sincerely



Cllr Natasha Airey