

Decision Notice

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision-maker: Cabinet

Decision taken on: 14 February 2011

Decision in the matter of: Authorisation of the publication of statutory notices on the proposed closure of Macclesfield High School on 31 August 2011.

DECISION: To give approval to:

- The publication of statutory notices for the closure of Macclesfield High School on 31 August 2011.
- an explanation within the explanatory notes section of the statutory notice, to confirm that the closure of Macclesfield High School will be approved to take effect only if by the date of closure an agreement has been made under section 482(1) of the Education Act 1996 for the establishment of an Academy to replace the School.
- Continued liaison with the Department for Education and Macclesfield College of Further Education, Academy sponsor, to prepare for implementation of the new arrangements with effect from 1 September 2011 so that in the event of closure, the successful delivery of statutory education (11 to 16) and the existing post 16 offer, including A levels and vocational qualifications will continue to be delivered on the existing site without any interruption.

Background:

Following the decision of the Cabinet Member of 8 November, formal consultation has been undertaken between 15 November 2010 and 14 January 2011 on the proposal to closure Macclesfield High School with effect from 31 August 2010 conditional on the establishment of an Academy on the same site. Academy proposals do not fall under School Organisation regulations, however, the guidance published by the Department for Education states that there should be a general presumption in favour of approval if provision for pupils at a school proposed for closure is dependent on the establishment of an Academy.

Cabinet has taken into account the views expressed during the consultation in reaching its decision. Responses to the formal consultation have been summarised in the report and hard copies of all the submissions received were available for Members of the Cabinet to view at the Cabinet Office, Westfields, Sandbach with effect from Friday 28 January for a period of approximately two weeks prior to the meeting. These were also available at the Cabinet meeting on 14 February 2011.

The decision will enable the Local Authority to comply with its statutory duty to publish notices on a school closure.

The advice of the Council's Legal and Finance Officers has been taken into account in producing the report presented to Cabinet.

Background Documents:

If a Part 1 report:

The background papers relating to this matter may be inspected by contacting the report writer.

Approved: (Cabinet Member)

Date:

Advising Officer:

Title:

Issued by the Borough Solicitor's Department