

# STIRLING COUNCIL

**MINUTES** of the **PARENTAL APPEALS PANEL** held in the **COUNCIL CHAMBERS, OLD VIEWFORTH, STIRLING** on **WEDNESDAY 29 MAY 2013** at **10.00 AM.**

Present:

Mr Bill BRODIE (in the Chair)

Councillor Alycia HAYES

Mrs Amanda NAMEY

In Attendance:

Bruce Clayson, Solicitor, Governance & Resources

Michelle MacDonald, Committee Officer, Governance & Resources (Clerk)

Alix Mathieson, Trainee Committee Officer, Governance & Resources

**The Panel resolved, that under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.**

## **PA1 APPEAL AGAINST REFUSAL OF PLACING REQUEST**

The Panel had been asked to consider three appeals against refusal of placing requests for Allan's Primary School, Stirling.

Members of the Panel had before them

- (a) Statement of Rights;
- (b) Parental Submissions; and
- (c) Education's Submission

The Chair introduced the Members of the Panel and the parties to each other. The procedures to be followed were also outlined.

Mr Colin McMenemy, Planning and Resources Officer, Education represented the Education Authority and was accompanied by Dr Jane Larner, Solicitor. Appellants A, Appellants B and Appellants C were present.

Following the introductions of all parties, Appellant C stated that they knew one of the Panel Members in a professional capacity. Dr Larner stated that she also knew Appellant C in a professional capacity. All parties concerned agreed that the proceedings should go ahead today as there was no conflict likely to occur.

Prior to the commencement of the meeting all the Appellants advised that they would like to present a joint case and only have a private session when discussing each family's personal circumstances.

Mr McMenemy, presenting the case for the Education Authority explained that the placing request had been refused on the grounds that the Council had exercised its right to reserve places for catchment pupils within the requested school, and taking this into account as the child's year in the school was full and to accept each child would make it necessary to provide an additional teacher.

At the conclusion of Mr McMenemy's presentation, the Appellants were given the opportunity to ask questions of the Education Authority

Appellants A, B and C presented their case and asked questions of the authority. The Panel and the authority were given the opportunity to ask questions of the Appellants.

At this point in the proceedings it was agreed to move to a private session. The Chair advised that they would hear the case of Appellant A in the first instance.

The Chair adjourned the meeting at 11.30 am

The meeting reconvened at 11.35 am.

On reconvening, Appellants A presented their case, following which the Panel and the Education Authority were given the opportunity to ask questions.

At this point in the proceedings Appellants A left the meeting.

The Chair adjourned the meeting at 12.10 pm

The meeting reconvened at 12.15 pm

On reconvening, Appellants B presented their case, following which the Panel and the Education Authority were given the opportunity to ask questions.

At this point in the proceedings Appellants B left the meeting.

The Chair adjourned the meeting at 12:55 pm

The meeting reconvened at 1.00 pm.

On reconvening, Appellants C presented their case, following which the Panel and the Education Authority were given the opportunity to ask questions.

At this point in the proceedings Appellants A and B rejoined the meeting.

All parties were then given the opportunity to sum up their cases.

The Chair advised that he would be requesting the Education Authority to re-look at the distances from home to school for all Primary 1 Placing Requests that had been made for the next academic session. He also advised that he would be requesting the school roll numbers for this academic session and the projected roll for next academic session.

The Appellants were advised that they would be notified of the Panel's decision in writing within 14 days. At this point, all parties were asked to withdraw from the hearing.

### **Decision**

The Panel agreed

1. to adjourn the meeting in order to obtain the following information from Education:
  - i) the distances from home to school for all Primary 1 Placing Requests that had been made for the next academic session;
  - ii) the school roll numbers for this academic session; and
  - iii) the projected roll for next academic session
2. that the Panel would reconvene on Monday 3 June 2013 at 12 noon.

The Chair declared the meeting closed at 2.00 pm.