

COUNCIL – 14 JULY 2014

MINUTE NO. 18 MOTION: THE LYNDALE SCHOOL

Proposed by Councillor Paul Hayes

Seconded by Councillor Jeff Green

Council, having regard to the support given to the campaign to keep the Lyndale School open by the public of Wirral, resolves that:

1. It is the firm belief of Council that the Lyndale School should remain open, and in order to bring to an end the anguish and uncertainty suffered by pupils and their parents and carers, calls upon Cabinet to confirm that the school will remain open when Cabinet next meets.
2. Council recognises the unique and caring environment provided by the Lyndale School to children with profound and multiple learning difficulties. Council acknowledges the value of this provision and affirms its belief that such provision should remain at the Lyndale School.
3. Council instructs officers to work with the Wirral School's Forum in order to investigate how the funding of Wirral's Special Schools can more closely reflect the will of Wirral's residents, as expressed by the huge support given to the Lyndale School: that the quality and scale of provision for children requiring the services of special schools in Wirral should continually strive to improve and be in no way diminished.

An amendment which had been circulated in advance of the meeting was submitted in accordance with Standing Order 12(1) and (9), as follows:

Proposed by Councillor Phil Davies

Seconded by Councillor Tony Smith

“Delete paragraph 1.

Retain first sentence of paragraph 2.

Delete remainder of paragraphs 2 and 3.

Insert the following:

Council believes that it would be premature to take a view on the future of Lyndale School without taking into account the outcome of the comprehensive consultation process which took place recently. Any statements in favour of a particular outcome run the risk of predetermination.

Council therefore notes the views contained in this motion and agrees to refer it to the special meeting of Cabinet on the 4th September. Cabinet will consider all options relating to Lyndale School together with the outcome of the consultation exercise at that special meeting.”

Prior to the debate, Councillor Kelly queried whether the amendment had the effect of negating the motion in contravention of Standing Order 9 (1).

The Head of Legal and Member Services responded that the amendment referred the motion to the special meeting of Cabinet which was consistent with the underlying proposition of the substantive motion. The amendment was suggesting an alternative rationale but the underlying proposition remained unchanged and was therefore lawful.

Following a debate and Councillor Paul Hayes having replied, Councillor Phil Davies and five Labour Members asked that a 'card vote' be recorded in respect of the Labour amendment. The Council then divided as follows:

For the amendment (35) Councillors RL Abbey, P Brightmore, J Crabtree, M Daniel, G Davies, P Davies, WJ Davies, P Doughty, RJ Gregson, P Hackett, T Johnson, AER Jones, C Jones, A Leech, ARC McLachlan, M McLaughlin, B Mooney, C Muspratt, S Niblock, T Norbury, M Patrick, D Realey, L Reecejones, J Salter, H Smith, PA Smith, W Smith, C Spriggs, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the amendment (26) Councillors T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, C Carubia, P Cleary, DM Elderton, G Ellis, L Fraser, PN Gilchrist, J Green, J Hale, P Hayes, AC Hodson, K Hodson, M Hornby, SE Kelly, D Mitchell, Mrs L Rennie, SL Rowlands, T Smith, A Sykes, GCJ Watt, Mrs P Williams and S Williams.

One abstention – Councillor S Foulkes.

The Labour amendment was therefore put and carried (35:26) (One abstention).

The substantive motion, as amended, was then put to a 'card vote', Councillor Green and five Conservative Members having requested such, and the Council divided as follows:

For the motion (35) Councillors RL Abbey, P Brightmore, J Crabtree, M Daniel, G Davies, P Davies, WJ Davies, P Doughty, RJ Gregson, P Hackett, T Johnson, AER Jones, C Jones, A Leech, ARC McLachlan, M McLaughlin, B Mooney, C Muspratt, S Niblock, T Norbury, M Patrick, D Realey, L Reecejones, J Salter, H Smith, PA Smith, W Smith, C Spriggs, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the motion (26) Councillors T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, C Carubia, P Cleary, DM Elderton, G Ellis, L Fraser, PN Gilchrist, J Green, J Hale, P Hayes, AC Hodson, K Hodson, M Hornby, SE Kelly, D Mitchell, Mrs L Rennie, SL Rowlands, T Smith, A Sykes, GCJ Watt, Mrs P Williams and S Williams.

One abstention – Councillor S Foulkes.

Resolved (36:26) (One abstention) -

Council recognises the unique and caring environment provided by the Lyndale School to children with profound and multiple learning difficulties. Council believes that it would be premature to take a view on the future of Lyndale School without taking into account the outcome of the comprehensive consultation process which took place recently. Any statements in favour of a particular outcome run the risk of predetermination.

Council therefore notes the views contained in this motion and agrees to refer it to the special meeting of Cabinet on the 4th September. Cabinet will consider all options relating to Lyndale School together with the outcome of the consultation exercise at that special meeting.