

KENT COUNTY COUNCIL - RECORD OF DECISION

DECISION TAKEN BY

**MIKE WHITING
CABINET MEMBER FOR EDUCATION, LEARNING AND SKILLS**

DECISION NO.

12/02008/2

Unrestricted

Local urgency procedures: The decision is being taken without consideration of a Cabinet Committee, in accordance with procedures set out in the Council's Constitution

Subject:

Proposal to expand Lady Boswell's Church of England Primary School (Aided), Sevenoaks

Proposed Decision:

As Cabinet Member for Education, Learning and Skills, I agree to the expansion of Lady Boswell's Church of England Primary School (Aided), Sevenoaks, as set out in the report.

Reason(s) for decision

The Commissioning Plan for Education Provision 2012-17 identifies a pressure in the Sevenoaks district in 2014/15, and a shortfall of places. The expansion of Lady Boswell's Church of England Primary School (Aided), Sevenoaks will address these pressures and adheres to the principles of our Commissioning Plan as it increases capacity at a good, popular school.

In reaching the decision to expand Lady Boswell's Church of England Primary School, I have considered the following issues:

- the views expressed by those attending the public consultation meeting on 11 October 2012, and those put in writing in response to the consultation;
- the views of the local MP, District and Parish Councils, the local County Councillor; Governing Body of the school, the Staff and Pupils;
- the Equalities Impact Assessment and comments received regarding this;
- that no statutory objections were received
- the views expressed in response to the Public Notice
- the views of the Education Cabinet Committee, set out below.

Local Urgency Procedures

If the decision is deferred until it can be considered by the relevant Cabinet Committee there will be insufficient time to procure and deliver the works, leading to a deficit in local school places in September 2013. There would be a negative impact on the implementation of the project and necessary building works would be delayed with the real possibility of the school not being expanded in time. The County could fail to meet its statutory obligations to provide school places, and would incur significant reputational risk. Therefore the decision is taken outside of the Cabinet Committee system in accordance with procedures required by the council's constitution for such occasion.

If the decision is not taken by these means, the only alternative to mitigate the risk on non-provision of places would be to enter into building contracts and begin works prior to the decision being taken. Should the expansion go on to be agreed, the Council would be at risk of there being significant local complaints and dissatisfaction that the agreed processes had not been adhered to.

As there are a limited number of Cabinet Committee meetings and there are over 40 school expansions which require approvals, all with complex timetables including statutory consultations, and procurement regulations, the process has been a difficult one to co-ordinate. In future commissioning plans will be produced earlier to ensure that these processes can be taken into account, and ELS and P&IS will work together with Legal and Democratic Services to look at how approaches to governance and procurement might be streamlined in future.

In accordance with the procedures set out in the Council's Constitution the Chairman of the Scrutiny Committee, and other required consultees agreed that the decision could not reasonably be deferred until the Cabinet Committee in order to follow KCC's normal governance procedures. In addition to agreeing the urgency of the decision, comments were also requested from those contacted and these are included within the report to the Cabinet member for consideration on taking the decision.

Senior Managers Rebecca Spore, Director of Property and Infrastructure Support and Patrick Leeson, Corporate Director of Education, Learning and Skills also agreed that this was the case

Cabinet Committee recommendations and other consultation

12 September 2012

The Committee considered and endorsed the proposal to the expansion of St Lady Boswell's Church of England Primary School. The Committee endorsed the proposal to hold a public consultation on the proposal

18 January 2013

The Committee considered the responses received and the comments made at the public meeting and discussed the concerns raised. The Cabinet Committee resolved to endorse the proposed decision to issue a public notice regarding the expansion of St Lady Boswell's Church of England Primary School (12/02008).

The views of the local member Mr John London have been sought, and as per the council's constitution, his response is included in the report to the Cabinet member, to which he will have regard on taking the decision.

Any alternatives considered:

The Commissioning Plan for Education Provision 2012-17 explored all options and the expansion of this school was deemed the suitable option.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None

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signed



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date

26 April 2013