

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TAKEN BY

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

## DECISION NO.

**12/02007/2**

### **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 St Botolph's Church of England Primary School (Aided), Gravesham**

### **Decision:**

As Cabinet Member for Education, Learning and Skills, I agree to expand St Botolph's Church of England Primary School (Aided), Gravesham, as set out in the report

### **Reason(s) for decision**

The Commissioning Plan for Education Provision 2012-17 identifies a pressure in the Gravesham district in 2014/15, and a shortfall of places. The expansion of St Botolph's Church of England Primary School (Aided), Gravesham 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 St Botolph's Church of England Primary School, I have considered the following issues:

- the views expressed by those attending the public consultation meeting on 6 November 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;
- no statutory objections were received
- the views expressed in response to the Public Notice
- the views of the Education Cabinet Committee which are set out below.

### **Urgency**

If the decision is not taken under the urgency procedures outlined in the council's constitution 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.

If the urgent decision is not taken 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 urgency procedures required by statute and set out in the Council's Constitution the Chairman of the Scrutiny Committee, and other required consultees agreed that the decision should be taken as urgent and cannot 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 his 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 Botolph's Church of England Primary School. The Committee recommended 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 endorsed the proposed decision of the Cabinet Member for Education, learning and Skills to issue a public notice regarding the expansion of St Botolph's Church of England Primary School (12/02007)

The local member Mr Les Christie provided the following statement:

During the consultation process I made my views known, in writing, to the Area Education Officer.


I have expressed concern from the outset that expanding this school does not solve the local problem as "proximity to school" is the last of 7 priorities when allocating places. The admissions criteria gives discriminatory preference to those with religion and means children from 2 miles away have priority over one 200 yards away. I hope the Cabinet Member will bear this in mind when taking his 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