

## CABINET

The following decisions were taken by the Cabinet on Tuesday, 26 February 2013 and will take effect on Thursday 7 March 2013 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 06/03/2013.**

The following represents a summary of the decisions taken by the Cabinet. It is not intended to represent the formal record of the meeting but to facilitate the call-in process. The formal minutes will be published in due course to replace this decision sheet.

County Members wishing to request a call-in on any of these matters, should contact the Senior Manager for Scrutiny or relevant Democratic Services Officer.

The Cabinet at its meeting on Tuesday, 26 February 2013 considered the following matters and resolved:

### **Members' Questions** (Item 4a)

The questions and responses are attached as Appendix 1.

- **PUBLIC QUESTIONS** (Item 4b)

The questions and responses are attached as Appendix 2.

- **CONSULTATION ON SURREY'S ADMISSION ARRANGEMENTS FOR SEPTEMBER 2014 FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND CO-ORDINATED SCHEMES** (Item 5)

### **RESOLVED TO RECOMMEND TO COUNTY COUNCIL:**

#### **Recommendation 1**

A feeder link is introduced for Banstead Community Junior School for children from Banstead Infant School for September 2014, as follows:

- a) Looked after and previously looked after children
- b) Exceptional social/medical need
- c) Children attending Banstead Infant School
- d) Siblings not admitted under c) above
- e) Any other children

#### **Reasons for Recommendation**

- It would provide continuity and a clearer transition for parents, children and schools and would reduce anxiety for parents
- It would be in line with the criteria that exist for most other schools which have a feeder link and reciprocal sibling links
- It would enable families to benefit from a sibling link for Reception even if they had a child who was due to leave the infant school before the younger child was admitted
- It would maximise the opportunity for families to keep children together or at schools within a close proximity
- It is consistent with Surrey's planning principles set out in the School Organisation Plan
- It is supported by the Governing Body of the school
- Eligibility to transport is not linked to the admission criteria of a school and as such attendance at Banstead Infant School would not confer an automatic

right to transport to Banstead Junior School

### **Recommendation 2**

The introduction of a feeder link for Reigate Priory for children from Holmesdale and Reigate Parish is deferred until alternative options are considered.

#### **Reasons for Recommendation**

- There were notable concerns regarding the proposals which the Local Authority would wish to explore fully before progressing
- It would allow more time to consider alternative proposals
- It would allow any proposal to be considered in the light of future school place planning considerations in the area

### **Recommendation 3**

The admission criteria for Southfield Park are changed so that, for September 2014, children who have Southfield Park Primary School as their nearest school would receive a higher priority when allocating places **outside** the catchment area, as follows:

- a) Looked after and previously looked after children
- b) Exceptional social/medical need
- c) Siblings
- d) Children living in the defined catchment of the school with priority being given to children living furthest away from the school
- e) Other children for whom the school is their nearest school
- f) Any other children

#### **Reasons for Recommendation**

- It would ensure that families living outside the catchment who have Southfield Park as their nearest school are given priority ahead of those who do not
- It would not displace children living on the Horton Park development, for whom the catchment was originally introduced to serve
- A further review of the admission criteria for this school should be carried out once decisions have been made on expansion proposals at other local schools

### **Recommendation 4**

That a feeder link is introduced for St Ann's Heath Junior School for children from Trumps Green Infant School for September 2014, as follows:

- a) Looked after and previously looked after children
- b) Exceptional social/medical need
- c) Siblings
- d) Children attending Trumps Green Infant School
- e) Children for whom St Ann's Heath Junior School is the nearest school with a Junior PAN
- f) Any other children

#### **Reasons for Recommendation**

- It would provide continuity and a clearer transition for parents, children and schools and would reduce anxiety for parents
- It would maximise the opportunity for families to keep children together or at schools within a close proximity
- It would reduce the likelihood of families removing their children from the infant school during Year 2 in favour of a primary school
- It is consistent with Surrey's planning principles set out in the School Organisation Plan
- It is supported by the Governing Bodies of both schools
- Eligibility to transport is not linked to the admission criteria of a school and as

such attendance at Trumps Green Infant School would not confer an automatic right to transport to St Ann's Heath Junior School

#### **Recommendation 5**

A reciprocal sibling link between St Ann's Heath Junior School and Trumps Green Infant School is introduced for September 2014 so that the schools would be described as being on a shared or adjoining site for applying sibling criteria.

#### **Reasons for Recommendation**

- It would support families with more than one child as families with a sibling at one school would benefit from sibling priority to the other school
- It would provide continuity for parents, children and schools and reduce anxiety for parents
- It would enable families to benefit from a sibling link for Reception even if they had a child who was due to leave the infant school before the younger child was admitted
- It would maximise the opportunity for families to keep children together or at schools within a close proximity
- It is supported by the Governing Bodies of both schools

#### **Recommendation 6**

A catchment area based on the Parish of Tatsfield and a phased tiered sibling priority based on the catchment is introduced for Tatsfield Primary School for September 2014, as follows:

- a) Looked after and previously looked after children
- b) Exceptional social/medical need
- c) Children who will have a sibling on roll at the school at the end of the 2013/14 academic year and that sibling will still be expected to be on roll at the school on the date of the child's admission
- d) Siblings who live within the catchment area
- e) Other children who live within the catchment area
- f) Siblings who live outside the catchment area
- g) Other children who live outside the catchment area

#### **Reasons for Recommendation**

- It provides transitional arrangements for families who do not have Tatsfield Primary School as their nearest school but who already have children at the school
- Whilst the nature of this proposal means that in the future some families might not be able to get younger siblings in to the same school, this will only apply if it is not their nearest school and those families would have been aware of this policy when they applied
- The pressure on places and the proximity of the school to the County border means that on balance a greater disadvantage might be caused to local families than to future siblings if this proposal is not agreed
- It reduces the likelihood of local families having to travel to schools that are further away
- In time it would support families within the local area as they will not be displaced in favour of siblings living further away
- It provides a clear and historic boundary for the catchment area

#### **Recommendation 7**

Tiered arrangements are introduced for Thames Ditton Junior School for September 2014 so that siblings, children at the feeder school and other children who have the school as their nearest receive priority ahead of those who do not, as follows:

- a) Looked After and previously looked after children
- b) Exceptional social/medical need
- c) Children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is the nearest school to their home address
- d) Children attending Thames Ditton Infant School for whom the school is the nearest school to their home address
- e) Other children for whom the school is the nearest school to their home address
- f) Other children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is not the nearest school to their home address
- g) Other children attending Thames Ditton Infant School for whom the school is not the nearest school to their home address
- h) Any other children

#### **Reasons for Recommendation**

- It would help ensure that a school within a reasonable distance could be offered to all children within the area
- Whilst the nature of this proposal means that some families might not be able to get younger siblings in to the same school, this will only apply if it is not their nearest school
- The pressure on places and the proximity of the school to the County border means that on balance a greater disadvantage might be caused to local families than to future siblings if this proposal is not agreed
- It does not disadvantage families who choose a different infant provision or if those who are unable to obtain a place at the infant school
- It reduces the likelihood of local families having to travel to schools that are further away
- It has the support of Thames Ditton Junior School
- There is not currently a reciprocal sibling link between these two schools but this will be reviewed for 2015 and if proposed, will be subject to consultation

#### **Recommendation 8**

The PAN for Thames Ditton Junior School is decreased from 120 to 90 for September 2014.

#### **Reasons for Recommendation**

- There were no major objections to the changed PAN
- School Commissioning and the school support this change
- The school can't sustain the admission of 120 pupils each year and the increase in 2013 was only intended to be temporary

#### **Recommendation 9**

That the Published Admission Numbers (PAN) for all other Community and Voluntary Controlled schools are determined as they are set out in Annex 1 of Appendix 1 of the submitted report, which include the following changes:

- i) Banstead Infant to increase its Reception PAN from 80 to 90
- ii) Bell Farm Primary to increase its Reception PAN from 60 to 90
- iii) Bell Farm Primary to decrease its Junior PAN from 120 to 30
- iv) Earlswood Infant to increase its Reception PAN from 90 to 120
- v) Earlswood Junior to increase its Junior PAN from 90 to 120
- vi) Grovelands Primary to decrease its Reception PAN from 90 to 60
- vii) Salfords Primary to increase its Reception PAN from 45 to 60
- viii) Spelthorne Primary to increase its Reception PAN from 60 to 90
- ix) Trumps Green Infant to increase its Reception from 30 to 60
- x) West Ewell Infant to increase its Reception PAN from 90 to 120

### **Reasons for Recommendation**

- Where a decrease in PAN is proposed the decrease has already been agreed through statutory proposals following expansion to a primary school
- The increase in Reception PAN at Bell Farm Primary has already been agreed through statutory proposals following expansion to a primary school
- Where other increases in PAN are proposed the schools are increasing their intake to respond to the need to create more school places and will help meet parental preference
- The School Commissioning team and the schools support these changes
- All other PANs remain as determined for 2013 which enables parents to have some historical benchmark by which to make informed decisions about their school preferences

### **Recommendation 10**

The number of preferences permitted under Surrey's Primary Coordinated Scheme is increased from three to four.

### **Reasons for Recommendation**

- There is likely to be demand for four preferences as in the 2012 admission round 8,157 parents (62.8% of applicants) named three preferences
- It would be likely to increase the number of parental preferences met and to decrease the number of children who could not be offered a preference school
- It may reduce the number of parents who wish to change or add new preferences after the offer date
- Given the pressure on school places it would help to alleviate the anxiety of parents where local schools are oversubscribed and they are uncertain which schools they might be offered
- Parents would not be obliged to name four preferences but it would give those parents who choose to the opportunity to do so
- It should support less popular undersubscribed schools as parents would not have to give up one of their more preferred schools
- As most applications are submitted online it will not have a significant administrative impact
- It helps to reduce potential for disadvantage for Surrey parents where neighbouring Local Authorities allow their parents to name more than three preferences

### **Recommendation 11**

That the Coordinated Admission Schemes for 2014/15 are agreed as set out in Annex 4 to Appendix 1 of the submitted report.

### **Reasons for Recommendation**

- The coordinated schemes for 2014 are similar to 2013
- The coordinated schemes will enable the County Council to meet its statutory duties regarding school admissions
- The coordinated schemes are working well

### **Recommendation 12**

Surrey's Relevant Area is agreed as set out in Appendix 2 of the submitted report.

### **Reasons for Recommendation**

- The Local Authority is required by law to define the Relevant Area for admissions
- The Relevant Area must be agreed every two years although no changes have been proposed
- It ensures that any schools who might be affected by changes to the admission arrangements for other local schools will be made aware of the

changes

### **Recommendation 13**

That the remaining aspects of Surrey's admission arrangements for Community and Voluntary Controlled schools for September 2014, for which no consultation was required, are agreed.

#### **Reasons for Recommendation**

- This will ensure stability and consistency for the majority of Surrey's parents, pupils and schools
- The arrangements enable parents to have some historical benchmark by which to make informed decisions about their school preferences
- The existing arrangements are working reasonably well
- The arrangements enable the majority of pupils to attend their nearest schools and in doing so reduces travel and supports Surrey's sustainability policies

#### **Reasons for decisions:**

The September 2014 admissions arrangements will be agreed by the full County Council at its meeting on 19 March 2013.

- **SCHOOLS EXPANSION AND MAINTENANCE PROGRAMME FROM SEPTEMBER 2013** (Item 6)

That the expansion and adaptation of the following schools, as detailed in the submitted report, be agreed in principle noting that the approval of the detailed financial information for each school would be considered in Part 2 of the meeting (agenda item 13):

- (i) Weydon Academy: Increase pupil admission numbers (PAN) by 56 places to 308
- (ii) De Stafford: New Kitchen and Dining Block Facilities

#### **Reasons for Decisions**

The schemes deliver a value for money expansion and improvements to the schools and their infrastructures, which supports the Authority's statutory obligation to provide additional school places and appropriate facilities for local children in Surrey. The individual projects and building works are in accordance with the planned timetables required for delivery of the new accommodation at each school.

*[The decisions on this item can be called in by the Council Overview and Scrutiny Committee and / or Education Select Committee]*

- **IMPLEMENTATION OF THE PUBLIC VALUE REVIEW OF COMMUNITY PARTNERSHIP - CONSTITUTIONAL CHANGES** (Item 7)

**RECOMMENDATION 1:** That Members' Allocations be moved from the remit of local committees to individual Members, enabling Members to agree the spend within their own division or to pool their allocation with other Members for specific projects. Decisions on approval of the funds are delegated to officers in consultation with the relevant individual Members or the relevant local committee

Chairman where it is not possible to obtain the individual Member's views.

**RECOMMENDATION 2:** That Local Committee Capital Allocations be pooled at Committee level and decisions on approval of funds be delegated to officers in consultation with all County Members on the relevant Local Committee.

**AND THE FOLLOWING RECOMMENDATIONS RESOLVED TO RECOMMEND TO COUNTY COUNCIL:**

**RECOMMENDATION 3:** That the guidance for the allocation of Members Allocations and Local Committee Capital Allocations be strengthened and the language simplified with the introduction of an updated Financial Framework for these allocations as attached in Annex A of the submitted report.

**RECOMMENDATION 4:** That Local Chairmen should be given greater discretion in relation to public participation at formal Local Committee meetings to make these meetings more engaging for residents. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)

**RECOMMENDATION 5:** That Local Committee Vice-Chairmen be given a greater role in Committee business and that consideration be given to Vice-Chairmen taking on a specific role as Highways Spokesperson for their Local Committee.

**RECOMMENDATION 6:** That one consistent set of protocols governing public participation in Local Committees is introduced to make processes clearer for residents and more efficient to administer. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)

**RECOMMENDATION 7:** That Local Committees allow equal voting rights for District and Borough Members unless restricted by law. (The relevant amendments are included in Annex B of the submitted report.)

**RECOMMENDATION 8:** That each Local Committees decides on whether it wishes to employ the rule of District or Borough Member substitutes or not. (The relevant amendments are included in Annex B of the submitted report.)

**Reasons for Decisions**

1. The Community Partnership PVR presented to Cabinet in November 2012 reviewed the role of Surrey County Council's Local Committees and the Community Partnership Team "to improve outcomes for residents by strengthening local democracy and placing much greater emphasis on partnership working." (David Hodge, Leader of SCC).
2. The recommendations are designed to embrace the spirit of Localism and empower local councillors to make a real difference in their local community. This report outlines the decisions that are required to implement the recommendations of the PVR in relation to:
  - Supporting Members in their role as community leaders and champions
  - Preparing Local Committees for a greater scrutiny and accountability role
  - Simplifying the financial and administrative processes for Members' Allocations to increase efficiency and to speed up decision making
  - Making formal Local Committee Meetings more engaging for residents
  - Changing the participation rules of Local Committees to aid partnership working

3. These require a number of changes to the current Constitution of the County Council, for which Full Council approval is required, specifically, standing orders, financial regulations and the Scheme of Delegation.

- **BUDGET MONITORING FORECAST 2012/13 (PERIOD ENDING JANUARY 2013)** (Item 8)

1. That the projected revenue budget underspend; (Annex 1 – Section A of the report submitted) and the Capital programme direction (Section B of the report submitted) be noted.
2. That government grant changes be reflected in directorate budgets (Section C of the report submitted).

**Reason for Decisions**

To comply with the agreed strategy of providing a monthly budget monitoring report to cabinet for approval and action as necessary.

*[The decision in this item can be called in by the Council Overview and Scrutiny Committee]*

- **SUPPORT FOR ECONOMIC GROWTH** (Item 9)

1. That the approach to support economic growth, including further exploration of the specific delivery mechanisms detailed, as outlined in paragraphs 12 and 13 of the submitted report be endorsed.
2. That it be agreed to work towards the development of potential deals with Government, in partnership with district and borough councils that wish to take part, with a view to securing greater financial and other powers and freedoms and investment in the county to support growth.

**Reason for Decisions**

The approach will assist the council in achieving the One County, One Team Corporate Strategy 2012-17 (as endorsed by Cabinet on 31 January 2012 and by full Council on 7 February 2012), which includes a specific priority to make Surrey's economy strong and competitive. It would support the council in its efforts to secure investment in Surrey, which would, in turn, help maintain the quality of life in the county.

Delivery of the proposed mechanisms will bring benefits to Surrey residents and businesses in terms of improved employment opportunities and funding both for economic infrastructure and public services. It should also enhance the county council's reputation with the business community.

*[The decisions on this item can be called in by the Environment and Transport Select Committee]*

- **PROVISION OF THE SELECTION AND SUPPLY OF LIBRARY STOCK** (Item 10)

1. That the background information set out in the submitted report be noted.
2. That the award of contracts be agreed following consideration of the procurement process set out in the Part 2 Annex (agenda item 12).



### **Reasons for Decisions**

The existing contracts will expire on 31 March 2013. A full tender process, in compliance with the requirement of EU Procurement Regulations and Procurement Standing Orders has been completed, and the recommendations arising out of the above process provide best value for money for the Council following a thorough evaluation process.

*[The decisions on this item can be called in by the Council Overview and Scrutiny Committee and /or the Communities Select Committee]*

### **MEMBER AND OFFICER DIRECTOR INDEMNITIES (ITEM 10A)**

That indemnities be provided to Members and officers, as set out in the Appendix to the submitted report and that the Chief Finance Officer be authorised to place any additional insurance cover needed to protect the Council from any claims made under the indemnities.

### **Reasons for Decisions**

It is essential for effective governance that Members and officers have protection from personal liability in the course of their duties and are not deterred from participating in new business and service delivery vehicles.

This report was presented as an urgent item, under the Special Urgency Arrangements, with the approval of the Chairman of the Council Overview and Scrutiny Committee and is therefore not subject to call in.

- **PROVISION OF THE SELECTION AND SUPPLY OF LIBRARY STOCK (Item 12)**
  1. That a Contract be awarded to the supplier as set out in the recommendation of the submitted report, for the provision of adult stock, DVD, Blu ray and music on CD to commence on 1 April 2013.
  2. That a Contract be awarded to the supplier as set out in the recommendation of the submitted report, for the provision of children's stock to commence on 1 April 2013.

### **Reason for Decisions**

The existing contracts will expire on 31 March 2013. A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council following a thorough evaluation process.

*[The decisions on this item can be called in by the Council Overview and Scrutiny Committee and /or Communities Select Committee]*

- **WEYDON ACADEMY SCHOOL, FARNHAM - TWO FORM ENTRY EXPANSION TO MEET BASIC NEED (Item 13a)**
  1. That the business case for the project to expand Weydon Academy, up to a maximum cost as set out in the submitted report, be approved.

2. That the arrangements by which a variation of up to 10% of the total value may be agreed by the Strategic Director for Change and Efficiency and the Cabinet Member for Assets and Regeneration Programmes, in consultation with the Leader of the Council be approved.

**Reason for Decisions:**

The proposal delivers and supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in the Farnham area.

*[The decisions on this item can be called in by the Council Overview and Scrutiny Committee and / or the Education Select Committee]*

- **DE STAFFORD SECONDARY SCHOOL, CATERHAM - NEW DINING HALL AND KITCHEN BLOCK (Item 13b)**

1. That the business case for the project to replace the current kitchen and dining facilities with a new block, together with associated external works at De Stafford School Caterham at a maximum cost as set out in the submitted report, be approved.
2. That the arrangements by which a variation of up to 10% of the total value may be agreed by the Strategic Director for Change and Efficiency and the Cabinet Member for Assets and Regeneration Programmes, in consultation with the Leader of the Council be approved.

**Reasons for Decisions**

The proposal delivers and supports the Authority's statutory obligation to provide safe and fit for purpose accommodation and facilities for its pupils and to meet the needs of the population in the Caterham area.

*[The decisions on this item can be called in by the Council Overview and Scrutiny Committee and / or the Education Select Committee]*

**SURREY ARTS RELOCATION (Item 14a)**

That the relocation of Surrey Arts to business space in Guildford, including acquiring the long leasehold interest(999 years) in the premises (which is equivalent to a Freehold purchase) and a contract to fit out the space to meet the service requirements at a total cost, as set out in the submitted report, be approved.

**Reasons for Decision**

To allow Surrey County Council (SCC) to fulfil its statutory duty to provide school places and to mitigate the risks to SCC from serious loss of business continuity which will impact on reputation, income and service delivery for Surrey Arts.

*[The decision on this item can be called in by the Council Overview and Scrutiny Committee]*

**Member Questions**

**Question (1) from Mrs Hazel Watson (Dorking Hills)**

Surrey County Council should not only be an ethical employer, but should also ensure that its contractors employ the highest standards of staff. This applies particularly to those working in social care such as care workers providing personal care for vulnerable older people in their own homes.

Recent research by the Social Care Workforce Research Unit, Kings College London, estimates that 10% of social care workers are not only paid below the Living Wage but below the Minimum Wage, which is currently £6.19 per hour. The study found that pay rates were lowest where people are being cared for in their own homes, particularly where the care is being provided by private companies.

Will the Leader commit to ensuring that no county council employee will be paid less than the UK Living Wage, which is currently £7.45 per hour, and that those performing work on behalf of the council should likewise ensure that none of their employees are paid less than the living wage and that future contracts will reflect this?

**Reply:**

The Council agreed at the People, Performance & Development Committee on 25 February 2013 that the Living Wage (Outer London) would be adopted for 2013/14 for our directly employed staff and that we would review this in future years.

**David Hodge**  
**Leader of the Council**  
**26 February 2013**

**Question (2) from Mrs Hazel Watson (Dorking Hills)**

Paragraph 14 of item 9 of the Cabinet Agenda on "Support for Economic Growth" suggests using the Council's land or property holdings as an equity investment in joint venture arrangements with private sector partners to bring forward developments. Has the Leader of the Council considered the potential risks to the Council's land and property holdings of pursuing such a policy?

**Reply:**

The Cabinet paper makes clear that specific proposals, including proposals for the use of the Council's land and property holdings, would require approval by Cabinet based on a full evaluation of the business case and consideration of the risks involved alongside the Council's fiduciary duties.

**David Hodge**  
**Leader of the Council**  
**26 February 2013**

### Question (3) from Dr Zully Grant-Duff (Merstham and Reigate Hill)

As at January 2012 there were 16,200 pupils in Reigate and Banstead schools, making it the largest amongst all boroughs and districts in the county in terms of pupils' numbers. The Redhill/Reigate conurbation, at the centre of the borough, has continued to show a significant upward trend in birth rates since 2001. Today's Cabinet Agenda Item 5 Recommendation 2 refers to the consultation on the "Introduction of a tiered feeder link to Reigate Priory School from Holmesdale Community Infant School and Reigate Parish Infant schools". For children residing in Reigate Hill, where Holmesdale Community Infant School is located, their nearest junior school is Reigate Priory School with no choice within a comparable distance. Even though the proposal was supported by 77.6% of respondents, the recommendation is to **defer the introduction of a link** until "alternative options are considered". Such deferment would leave Reigate Hill children facing uncertainty and disadvantage.

Please explain:

- Why wasn't more time allowed to consult on the alternative options?
- What is the status of existing plans to expand Reigate Priory School and their delivery by 2014?
- What planning of schools places in the Reigate area, particularly junior school provision, is being undertaken?
- Finally, what is the expected provision for 2014-15 and 2015-16?

**Reply:**

The Local Authority has a statutory duty to consult on any changes it wishes to make for at least 8 weeks between 1 November and 1 March and then to determine the admission arrangements for all Community and Voluntary Controlled schools by 15 April. The decision making process in Surrey is for recommendations to be made by Cabinet to full County Council. As such, given the timetable for Cabinet and full Council meetings, the 26 February 2013 is the last date that the arrangements can be considered by Cabinet and which then allow full Council to take a decision by 15 April 2013.

Whilst the Local Authority may make a decision to vary the admission arrangements from those that it consulted on, it would need to consider the reasonableness of any variation and whether it would be likely to cause any further concerns that consultees had not hitherto had an opportunity to comment on. In this case, whilst the Local Authority recognised that there might be other solutions, it did not feel in a position to recommend an alternative without further consideration and due consultation. In any case, the other solutions which might be considered would not amount to a variation of the proposal but would be considered to be a new proposal entirely.

Currently Reigate Priory Junior School has a published admission number (PAN) of 150 (5 classes) and a notional capacity of 600 children. At present the year 4 in the school has 180 pupils and the total number of children at the school is 630. These children, admitted above PAN on a temporary basis, have been accommodated in existing space at the school. Without additional building or moderation Reigate Priory School could not admit more than 630 children in total in any year.

The significant proportion of pupils in Reigate Priory School are drawn from Reigate Parish Infant School and Holmesdale Infant School with PANs of 60 (2 classes) and 90 (3 classes) respectively. Demand for places in this area has increased. As a direct result of this additional classes have been provided at Holmesdale Infant School in September 2010 and September 2012. This increase in the number of children in the infant schools will translate in to a need to provide additional 30 spaces (1 class) at Reigate Priory in September 2013 and September 2015 when the school will need to provide space for 660 pupils (30 spaces above the existing number of pupils at the school). It is the Council's intention that all children for whom Reigate

Priory is the nearest school will be eligible for a place in these years although this cannot be guaranteed.

The Council is supporting Reigate Priory School in development of its school site to provide 1 additional classroom and ancillary space for September 2013. This involves building and refurbishment at the existing school site for which planning permission has been obtained and work is scheduled to be complete before September 2013 to enable the school to admit 180 pupils in that year.

Significant planning work has been undertaken in the Reigate and Redhill area. Additional temporary classes over the last two years have additionally been provided at Wray Common Primary School, Furzefield Primary School and St John's Primary School. Furthermore long term expansions of provision have been negotiated at Earlswood infant and junior departments and Salfords Primary School. Allied to this the Council is also supporting the establishment of a new 60 PAN (2 class) primary school in the Redhill/Merstham area that is due to admit pupils from September 2013. The Council has also supported significant capital investment at Sandcross Primary School that has brought infant and junior provision on to one site in purpose built accommodation.

Junior provision in Reigate is being increased in relation to increases in the reception age. Any temporary or permanent increase at a primary school will be managed through the school until secondary transfer. In addition any increase in an infant school will be met with a composite increase in a relevant junior setting such as increases at Reigate Priory School and Earlswood junior department.

It is anticipated that an additional 30 places will be required at Holmesdale Infant School in September 2013 and beyond. This will create demand for additional space within Reigate Priory School from September 2016 when the school population would rise to 690 and then in 2018 when it could rise to 720. This would require further agreement between the Council and school plus building or changes to some of the existing use of Reigate Priory School. A number of options are available to the Council to develop and the Council will be exploring these with stakeholders to ensure that relevant provision is provided in a timely manner. It is not envisaged that Reigate Priory School could expand beyond 720 pupils.

**Linda Kemeny**  
**Cabinet Member for Children and Learning**  
**26 February 2013**

**Public Questions**

**Question (1) from Rachael Munroe**

Paragraph 30 of the Report by Mrs Kemeny to Cabinet on the Consultation on Surrey's Admission Arrangements for September 2014 for Community and Voluntary Controlled Schools and Co-ordinated Schemes states:- "That this was considered to be a reasonable approach because, had they not been given a place at Reigate Parish on grounds of their Faith, the Local authority would still be looking to place them at Reigate Priory as their nearest junior School".

With reference to the example set out below and having regard to the overriding objective of the School Admissions Code and the Equality Act 2010, can Mrs Kemeny please explain why she considers it to be reasonable to indirectly discriminate on religious grounds against a non-Christian child for admission to a non-faith school when it is evident that the Local Authority's justification for doing so i.e. "that the Local Authority will still be looking to place them (a child) at Reigate Priory as their nearest Junior School" will in practice never actually be realised due to a very small number of places left for children in the 5th tier as acknowledged in Paragraph 27 of the Report?

Example - Assume two children live exactly the same distance from both Reigate Parish (525m) and Reigate Priory School (712m). Under the allocation of places data for 2012 an actively participating and regularly worshipping Christian child would have achieved a Faith based place at Reigate Parish School, the other child a non-Christian child would not have obtained an open place at Reigate Parish School and an alternative provision would have to have been found. Assume those children are then applying for Reigate Priory School, using the proposed admissions criteria the Christian child is ranked in the 4th tier and would get a place at Reigate Priory School and the other child the non-Christian child is ranked in the 5th tier. The furthest distance a place would be allocated using the 2012 data would be 530m, the non Christian child would therefore not get a place at Reigate Priory School, despite living exactly the same distance as the Christian child from Reigate Priory School.

**Reply:**

The existing admission arrangements for Reigate Priory already provide for children from Reigate Parish to be admitted to the school:

- In 2011, 48 children (80% of Year 2 cohort) were admitted to Reigate Priory from Reigate Parish. Of these 1 child had priority as a looked after child, 25 were siblings and 22 were eligible for a place on distance.
- In 2012, 48 children (80% of Year 2 cohort) were admitted to Reigate Priory from Reigate Parish. Of these 16 were siblings and 32 were eligible for a place on distance.

Numbers transferring from Reigate Parish to Reigate Priory therefore appear to be quite consistent at around 80% of the Reigate Parish cohort.

In comparison, in 2011, 74 children (82% of Year 2 cohort) were admitted to Reigate Priory from Holmesdale and in 2012, 83 children (92% of Year 2 cohort) were admitted.

In considering the introduction of feeder schools, the Local Authority had to ensure that the selection of feeder schools was transparent and was made on reasonable grounds. As a high percentage of children at Holmesdale and Reigate Parish already transfer to Reigate Priory, it seemed most reasonable to select both schools as feeder schools. However, in recognition of the fact that Reigate Parish admits half of its intake according to a measure of faith, it also

seemed reasonable to tier the feeder priority to ensure that children for whom Reigate Priory was the nearest school (including those not at a feeder school) were given priority ahead of those for whom it was not.

Had the proposed admission arrangements been in place in 2011 and 2012, the number of additional children who would have been admitted to Reigate Priory from Reigate Parish who would not otherwise have been admitted would have been 4 in each intake.

The Local Authority must always balance the needs of all children in an area and it believes that this proposal was a proportionate means of achieving a legitimate aim in accordance with the Equality Act 2010, for the following reasons:

- It would have helped to provide a junior school place for children living to the north of Reigate, whose next nearest school is further away than for some children who live closer to Reigate Priory, and who would subsequently have to travel some distance to another school if they were not offered Reigate Priory
- The impact on the intake to Reigate Priory if Reigate Parish was a feeder school was anticipated to be low
- Only 50% of the intake to Reigate Parish is admitted according to faith and the majority of these children would still have Reigate Priory as their nearest school. Regardless of whether or not these children attended Reigate Parish the Local Authority would still seek to place them at Reigate Priory as their nearest school and oversubscription criteria would determine which children would be offered a place if there were not enough places for all. Such oversubscription criteria does not have to give priority to those who live nearest the school
- Failure to include Reigate Parish as a feeder school but to proceed with Holmesdale might have led to a disadvantage being caused to children who had been admitted to Reigate Parish, on faith or otherwise

That said, in recognition of the fact that only a small number of children would be likely to be offered a place under criterion 5 and the fact that this impact was not fully explored as part of the consultation, the recommendation to Cabinet is that this proposal is deferred until next year which will allow time for other solutions to be explored.

**Linda Kemeny**  
**Cabinet Member for Children and Learning**  
**26 February 2013**

<b>Question (2) from Stephen Taylor</b>
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Paragraph 26 of the report of Mrs Kemeny to Cabinet on the Consultation on Surrey's Admission Arrangements for September 2014 for Community and Voluntary Controlled Schools and Co-ordinated Schemes states:- "Children living to the north of Reigate live much further away from their next nearest school' and they subsequently end up having to travel some distance to another school".

Can Mrs Kemeny please quantify exactly what constitutes 'much further away' and 'some distance' – please confirm the furthest distance a child at Reigate Parish and Holmesdale has been expected to travel to its next nearest school and whether such children qualified for free school transport to the schools they were offered? Please confirm this in relation to both Holmesdale and Reigate Parish School

**Reply:**

Based on applications for Reigate Priory in the 2012 admission round, the child who lived the furthest distance from that school but who still had it as their nearest school and who attended

Holmesdale, lived 1.742 km from Reigate Priory. That child was allocated a place at Sandcross Primary School at 3.067 km from their home address, which was their next nearest school.

In contrast, the child who attended Holmesdale and who lived closest to Reigate Priory lived 0.199 km from the school and that child's next nearest school was Sandcross at a distance of 1.499 km.

In the 2012 admission round for Reigate Priory, the child who lived the furthest distance from that school but who had it as their nearest school and who attended Reigate Parish, lived 1.409 km from Reigate Priory. That child was allocated a place at Sandcross Primary School at 1.723 km from their home address, which was their next nearest school. Due to the location of Reigate Parish, there is less difference children who attend this school and who have Reigate Priory as their nearest junior school

In contrast, the child who attended Reigate Parish and who lived closest to Reigate Priory lived 0.498 km from the school and that child's next nearest school was Sandcross at a distance of 1.376 km.

The distance to the next nearest school will be different for each child. In 2012 the next nearest school for children at Holmesdale who were not offered a place at Reigate Priory but who had that as their nearest school ranged from 2.5 km to 3 km. The range for those children at Reigate Parish was from 1.7 to 1.8 km.

Entitlement to free home to school transport is assessed according to statutory criteria which, for a child of seven, requires that transport should be provided to the nearest qualifying school if it is over two miles from the home address, measured by the shortest, safest walking route. This distance increases to three miles once a child becomes eight years old. The nearest qualifying school is a school with a vacancy at the point that an application is made. If a parent does not apply to their nearest school and if they would have been offered it had they applied, free transport will not be provided to a school which is further away. As each child is assessed individually for home to school transport it is not possible to generalise and to indicate whether or not all children who are not offered a place at Reigate Priory are offered free transport to their next nearest school.

**Linda Kemeny**  
**Cabinet Member for Children and Learning**  
**26 February 2013**

<b>Question (3) from Robin Kinniburgh</b>
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The Cabinet is being asked to delay a decision about at feeder link between The Priory school and Holmesdale and The Parish school in Reigate on the basis of wishing to consider alternative options, yet the alternatives are not specified. What are the alternative options to be considered and why does this necessitate a year long delay?

**Reply:**

The Local Authority has a statutory duty to consult on any changes it wishes to make for at least 8 weeks between 1 November and 1 March and then to determine the admission arrangements for all Community and Voluntary Controlled schools by 15 April. The decision making process in Surrey is for recommendations to be made by Cabinet to full County Council. As such, given the timetable for Cabinet and full Council meetings, the 26 February 2013 is the last date that the arrangements can be considered by Cabinet and which then allow full Council to take a decision by 15 April 2013.

Whilst the Local Authority may make a decision to vary the admission arrangements from those that it consulted on, it would need to consider the reasonableness of any variation and whether



it would be likely to cause any further concerns that consultees had not hitherto had an opportunity to comment on. In this case, whilst the Local Authority recognised that there might be other solutions, it did not feel in a position to recommend an alternative without further consideration and due consultation. In any case, the other solutions which might be considered would not amount to a variation of the proposal but would be considered to be a new proposal entirely.

Alternative solutions that might be considered for Reigate Priory are:

- the introduction of tiered sibling arrangements which give priority to siblings for whom the school is not their nearest only after all other children for whom it is the nearest school can be offered a place
- the introduction of priority based on the distance to a child's next nearest school, with priority being given to those whose next nearest school is furthest away

As with all changes these would have advantages and disadvantages, but the Local Authority would wish to consider all solutions to identify the most appropriate proposal for the area in the light of the historic pattern of admissions but also taking in to account other school place planning developments in the area which might themselves change the pattern of admissions.

**Linda Kemeny**  
**Cabinet Member for Children and Learning**  
**26 February 2013**

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