

Wiltshire Council

Council

12 July 2011

Urgent Executive Decisions Taken By Cabinet

Purpose of report

1. To advise Council of a decision taken by Cabinet under the 'Special Urgency' provision.

Background

2. It is a requirement of the Constitution that the Leader prepares a report to Council on the Cabinet decisions taken in the circumstances set out in Part 5, paragraphs 24 (special urgency). The report should include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken (paragraph 27).

Main considerations for the council

Decision Taken – Closure of Grafton Primary School, Marlborough

3. One such decision was made by Cabinet on 14 June 2011 which relates to the closure of Grafton Primary School, Marlborough.
4. Details of the Cabinet Member for Children's Services' (Cllr Lionel Grundy) intention to make a decision to publish statutory proposals to close the school on 31 August were published on the Council's website on 28 March. In accordance with established procedure, a link to the notice was circulated to all Councillors inviting them to comment or make representations by 5 April.
5. Cllr Grundy confirmed the decision to publish statutory proposals to close the school. The notice of the decision made was published on 13 April and came into effect on 22 April with a link to the notice circulated to Councillors via email.
6. During the six week notice period, a part of the statutory process during which interested parties were able to object to the proposed closure, one objection was received on 1 June.
7. Cllr Grundy considered that in view of the objection received, the matter should be determined by the next available Cabinet meeting to allow time to implement the decision should Cabinet confirm the proposal. The proposal had therefore not been included in the published Cabinet Forward Work Plan for the preceding period and not included on the next available Cabinet agenda for the meeting on 14 June.

8. In accordance with Part 5 of the Constitution, the following actions were undertaken:
- The Leader agreed that the matter be considered as urgent business at the Cabinet meeting on 14 June as the matter could not wait until the next scheduled meeting of Cabinet on 26 July.
 - The Chairman of the relevant Scrutiny Select Committee, being in this case, the Children's Services Select Committee, Cllr Carole Soden was informed on 7 June and agreed that the taking of the decision could not reasonably be deferred.
 - A notice of additional key decision not previously included in the published Cabinet Forward Work Plan was published on 8 June.
 - The report was made available as soon as it was finalised and published to the Council's website and a link sent to all Councillors on 8 June.
9. Whilst the matter not having been included in the Cabinet Forward Work Plan or on the agenda for Cabinet reduces the transparency of decision making, I am confident that all those affected have been adequately consulted in this case. As part of the consultation arrangements on the proposal, consultation was undertaken with the school, parents, governors and the local community during February and March. Consultation responses were considered by the Cabinet member for Children's Services and published as part of the delegated decision process referred to in paragraphs 4 and 5 above.

Proposal

That the Council notes the report

Councillor John Thomson
Deputy Leader of the Council (on behalf of the Leader of the Council)

Background papers

The following unpublished documents have been relied on in the preparation of this report:

None