

THE PARENTS' CASE

The parents from Patney have put forward the following points in support of their case. The authority's response is indicated in *italics* following each point.

1. **Chirton Church of England Primary School is within the catchment area for Lavington.**

Lavington School is a 'Foundation' school (previously grant maintained) and outside LEA control. This means that the school can choose to admit pupils from wherever it wishes, but the LEA does not have to provide free school transport for that choice.

2. **Most Chirton children will attend Lavington School so they will be going to secondary school with their friends.**

Pupils who attended Chirton CE Primary School from the Civil Parishes of Patney, Marden and Chirton can all attend Lavington School if their parents wish. There is a bus on which a daily fare can be paid. Only Marden and Chirton resident pupils can receive free transport, however, because Lavington School is closer to their homes than the designated school in Devizes.

3. **Lavington is a small school and so will be more suitable for village children.**

In terms of pupil numbers, Devizes School has 1,050 pupils on roll, whereas Lavington School has 687 pupils. Whilst parents will weigh up various factors when choosing a school, it is not a duty of the LEA to provide free transport to meet such choices and a secondary education fulfilling the National Curriculum and providing educational opportunities is available at both schools. Of the current cohort of ex-Chirton Primary pupils, two from Marden and five from Chirton attend Devizes School.

4. **Patney is within the parish of Chirton.**

This point refers to an ecclesiastical boundary change which has been effected in recent years. However, it is the Civil Parish which is considered when determining free school transport entitlement. Patney and Chirton are two separate Civil Parishes, and this has been confirmed by checking the relevant documents produced by the Boundary Commission.

5. **There is only one-half mile difference in distance. Some Chirton schoolchildren walk to school from Patney. Why should they not have the same choice as their peers?**

This point refers to the fact that pupils in Chirton (and Marden) who choose to attend Lavington School can receive free transport owing to Lavington School being slightly closer to their homes than their designated school in Devizes. Owing to a change in Education Transport law in the early 1990s, LEAs are obliged to provide free transport in such instances. However, for pupils living in Patney, Lavington School is

not closer to their homes than Devizes School, and thus free transport is not available. However, they may still attend Lavington School and pay a daily fare on the bus.

6. **Your current policy will encourage people to use their cars.**

This is not a relevant consideration under the County Council's School Transport Policy.

7. **The school bus already goes through Patney and stops to pick up and drop off other children travelling to Lavington.**

This is correct, but the cost of this diversion through Patney is compensated for by the fares paid by pupils from Patney (which parents now want the Authority to pay).

8. **Devizes School via All Cannings is a much longer journey.**

There are three buses on to which Patney pupils travelling to Devizes School can be allocated. Only one contract is routed via All Cannings and this takes 11 minutes longer.

9. **The School Transport Policy is due for amendment as it was made in 1941.**

This point appears to refer to the law relating to Education Transport which was determined under the 1944 Education Act but which underwent a substantial revision with the introduction of the 1996 Education Act. Wiltshire County Council reviews its School Transport Policy to take account of any new factors, the most recent revisions being incorporated in the September 2002 issue of the Transport Policy.

10. **It should not be necessary for parents to appeal every year when there is secondary school intake.**

If the parents' appeal is upheld by Members then any change to the designated secondary school for transport entitlement for Patney pupils would apply thereafter, unless a subsequent policy change were to be made by Members. If the appeal were not upheld, however, it would be open to parents to appeal again at some stage in the future if there were new factors upon which Members could consider making a departure from the existing policy.