

## **LONDON BOROUGH OF CROYDON**

To: All Members of Council  
Croydon Council website  
Access Croydon & Town Hall Reception

### **PUBLIC NOTICE OF KEY DECISIONS MADE BY EXECUTIVE DIRECTOR CHILDREN, FAMILIES AND EDUCATION ON 09 SEPTEMBER 2019**

In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 the following key decision has been taken on behalf of the London Borough of Croydon under General Exception. The decision could not be reasonably deferred because:

The Local Authority (LA) is required to make a decision about the proposed closure of St Andrew's CofE High School within a period of two months of the end of the representation period. If the LA fails to make a decision within this time then the proposal must be referred to the Schools Adjudicator. As per the DfE guidance: *Opening and closing maintained schools Statutory guidance for proposers and decision-makers, November 2018 Para. 3 - School closures* (discontinuance). The representation period for the proposed closure of St Andrew's CE High ended on 25<sup>th</sup> July 2019 and therefore a final decision must be made by 25<sup>th</sup> September 2019.

This statement is produced in accordance with Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 17 September 2019** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to the decision below:

**Reasons for these decisions:** Contained within the Part A report attached.

**Other options considered and rejected:** Contained within the Part A report attached.

**Details of conflicts of interest declared by the decision maker:** None

**Note of dispensation granted by the Head of Paid Service in relation to a declared conflict of interest by that decision maker:** None

The Leader of the Council has delegated to the decision maker the power to make the Key Decisions noted out below (delegation 0619LR):

**Decision Title: ST ANDREW'S CHURCH OF ENGLAND HIGH SCHOOL  
PROPOSED CLOSURE**

**Key Decision No:** 0519CFE

Having carefully read and considered the Part A report, and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Executive Director Children, Families and Education in consultation with the Cabinet Member for Children, Young People & Learning

**Details of decision:**

Agree to the closure of St Andrew's Church of England High School, effective from 31 August 2020, subject to any call-in taking place and any subsequent recommendations from the Scrutiny & Overview Committee.

**Signed:** Council Solicitor and Monitoring Officer

**Notice Date:** 09 September 2019

### Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 17 September 2019** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
  - i) the Chair or Deputy Chair of the Scrutiny and Overview Committee and 4 members of that Committee; or
  - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Victoria Lower by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
  - i) The grounds for the referral
  - ii) The outcome desired
  - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
  - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the decision taker for reconsideration, setting out in writing the nature of the concerns.
8. The Scrutiny and Overview Committee may refer the decision to Full Council if it considers that the decision is outside of the budget and policy framework of the Council.
9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.

10. The Full Council may decide to take no further action in which case the decision may be implemented.
11. If the Council objects to the decision it can nullify the decision if it is outside of the policy framework and/or inconsistent with the budget.
12. If the decision is within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision. The decision taker shall choose whether to either amend / withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
13. The response shall be notified to all Members of the Scrutiny and Overview Committee
14. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
15. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process.

**Signed:** Council Solicitor and Monitoring Officer

**Notice Date:** 09 September 2019

**Contact Officers:** [victoria.lower@croydon.gov.uk](mailto:victoria.lower@croydon.gov.uk) and [cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)

## PROFORMA

### REFERRAL OF A KEY DECISION TO THE SCRUTINY AND OVERVIEW COMMITTEE

For the attention of: Victoria Lower, Democratic Services & Scrutiny  
e-mail to

[Victoria.lower@croydon.gov.uk](mailto:Victoria.lower@croydon.gov.uk) and [cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)

Meeting:

Meeting Date:

Agenda Item No:

#### Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

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#### The outcome desired:

#### Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of \_\_\_\_\_ Committee