



## Planning Application Challenge

Following a review of the representations made to Hertfordshire County Council (HCC) as part of its Planning Application process for the Katherine Warington School, RSRP has concluded that its representations were inadequately considered in that process. It had been hoped that the Secretary of State for Housing, Communities and Local Government would have exercised his right to Call In the application. A Call In would have resulted in a Planning Inquiry and brought the necessary independence to the process. However despite numerous representations from many sources the Secretary of State chose not to exercise this discretionary right.

This left the option of a more direct legal challenge and RSRP considered in detail how points made in their representations were reflected in the material presented to HCC's Development Control Committee. RSRP were mindful that while the requirement was that the process considered points made, it did not have to agree with them. RSRP found evidence that many points were not considered, and in parallel asked further questions of HCC to attempt to clarify the position. In response HCC has both refuted any suggestion that it failed to present material, or that it had failed to properly represent material in its reports. Further, the inability of HCC to provide information which would have assisted in this assessment, when it would appear that HCC had the same information readily available for some time, was particularly frustrating. Accordingly RSRP took legal advice and has decided to apply for permission to have a Judicial Review into HCC's decision. The application was submitted a few days ago.

The decision to apply was not taken lightly. RSRP has always maintained a key point is **where** a school should be located and continues to hold the view that it should be located where it best addresses the local need in the area. RSRP's concerns in this matter appear to have been reinforced by recent information released by HCC about the Secondary and Primary applications for 2018 admissions.

At Primary level this year's admissions record 399 applications from residents in Harpenden Town – confirming the trend of reducing numbers and highlighting significant over-capacity in the Town. With a proposed 750 secondary places in the town when this cohort reaches secondary almost 1 in 2 pupils in 4 schools would be travelling into the Town. At Secondary, the second (and final) round of Continuing Interest has seen both non-faith schools extend their numbers. However, SJL – the nearest school in priority area for those to the east of Harpenden, has failed to extend the maximum distance to include any Wheathampstead, Kimpton and the Waldens non-sibling entrants. These are the areas which RSRP has consistently maintained would be under-served by a new school in Harpenden, and they are clearly at the back of the queue when allocations are made.

In other developments HCC appear to have eventually acknowledged failings in respect of the handling of the petition raised in Spring 2017 and signed by many RSRP members – details will shortly be posted as an update on the [change.org](https://www.change.org) petition page.