Appendix 4 - PROPOSED

In-Year School Admission Arrangements and Over-subscription Criteria for North Somerset Community and Voluntary Controlled Schools - 2015-16 School Year

Key:
NSC = North Somerset Council
C of E = Church of England
VC = Voluntary Controlled
School = school or an academy

Please note that where the word “school” is used in the general sense, it refers to either a school or an academy.

<table>
<thead>
<tr>
<th>Item No</th>
<th>Narrative</th>
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<tbody>
<tr>
<td><strong>Over-subscription Criteria</strong></td>
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<tr>
<td>1A.</td>
<td>Where a school is named in a child’s Statement of Special Educational Needs or Education, Health and Care Plan, the admission authority is legally required to admit the child to the school. Such children will therefore be allocated places at the named school before the over-subscription criteria are applied. Applications of this type for the named schools will take priority over all other requests for places.</td>
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<td>With the exception of above and criterion No.1, children allocated a place under a Fair Access Protocol or Children who are the subject of a direction by a council to admit will take priority over all other applicants.</td>
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<td>Subject to the above exceptions, where more applications are received than there are places available in a particular year group, allocations will be made in accordance with the following criteria, given in order of priority:</td>
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<tr>
<td>1.</td>
<td>Children in Care or children who were previously in Care but immediately after being in Care became subject to an adoption, residence, or special guardianship order.</td>
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<td>2.</td>
<td>Children who have been attending the school as part of a Negotiated Transfer Scheme.</td>
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<td>3.</td>
<td>For Infant, Junior and Primary Schools only:</td>
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<td>The following criterion (i) applies to the following non-rural schools only:</td>
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<tr>
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<td>All Saints, East Clevedon C of E Primary</td>
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<td></td>
<td>Ashcombe Primary</td>
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<td></td>
<td>Becket Primary</td>
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<td></td>
<td>Castle Batch Primary</td>
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<td></td>
<td>Golden Valley Primary</td>
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<td></td>
<td>Grove Junior</td>
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<td></td>
<td>Hannah More Infant</td>
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<td></td>
<td>High Down Infant</td>
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<td></td>
<td>High Down Junior</td>
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<td></td>
<td>Mary Elton Primary</td>
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<td>Mead Vale Primary</td>
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<td></td>
<td>Mendip Green Primary</td>
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<td>Portishead Primary</td>
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Children with a brother or sister who will be attending the school at the time of admission.

The following criteria (ii), (iii), (iv) and (v) applies to the following rural schools only:

(ii)* Children with a brother or sister who was attending the school prior to September 2008 and either he/she or any younger brother or sister will be attending the school at the time of admission.

(iii)* Children with a brother or sister who started attending or will be attending the school during or after September 2008 and he/she will be attending the school at the time of admission, where it is the child’s nearest school (excluding Catholic schools) to the home address.

(iv) Children, where it is the child’s nearest school (excluding Catholic schools) to the home address.

(v)* Children, where it is not the child’s nearest school (excluding Catholic schools) to the home address, with a brother or sister who will be attending the school at the time of admission.

*For the purpose of criteria (i), (ii), (iii) and (v) paired infant and junior schools will be treated as one school.

In addition to being primary schools Mendip Green and Worle Village Schools will be treated as Schools that are paired with St Martin’s C of E School, for children with a brother or sister in Years 4, 5 and 6 at St Martin’s C of E School. However a brother or sister who is in either the Reception Year, Year 1 or Year 2 at St Martin’s C of E School in the 2014-15 school year will not count as attending a school that is paired with either Mendip Green or Worle Village Schools.
(vi) For **non-rural** schools only: Children, where it is the nearest school (excluding Catholic Schools) to their home address, who live more than a distance of 2 miles from that school measured by the shortest available walking route.

(vii) For rural and **non-rural** schools: Children living closest to the school.

4. For St Katherine’s Secondary School only;
   a) Children living in the school’s First Geographical Area.
   b) Children living outside the school’s First Geographical Area.

5. For admission to Infant, Junior and Primary schools, except for criterion 3vi, priority within each criterion will be given to children living closest to the school. Priority within criterion 3vi will be given to children living furthest from their nearest school by direct line. Should these distances be equal the ranking of allocations will be determined by drawing lots.

6. When applying criteria 4(A) and 4(B) priority within each criterion will be given, in order, to:
   a) children with a brother or sister who will be attending the school and who joined the school before September 2011.
   b) children with a brother or sister who is already on the school roll or has been allocated a place at the school but will not include a brother or sister who has only joined the school for Sixth Form education.
   c) children living closest to the school.

**General Information**

7. Children in Care are defined as follows:
   ‘Children in Care’ are children who are (a) in the care of a local council or (b) being provided with accommodation by a local council in the exercise of their social services functions (see the definition in section 22(1) of the Children Act 1989).

   For Children previously in Care:
   - an Adoption Order must be under the terms of the Adoption and Children Act 2002 that came into force on 31 December 2005 (so only adoption orders on or after this date are applicable)
   - a residence order must be under the terms of the Children Act 1989, of which Section 8 defines a residence order as an order setting the arrangements to be made as to the person with whom the child is to live
   - in accordance with Section 14A of the Children Act 1989, a Special Guardianship Order is defined as an order appointing one or more individuals to be a child’s special guardian (or special guardians).

   For children to be considered as previously looked after children, applicants should provide a copy of the adoption order, residence order or special guardianship order and a letter from the local authority that last looked after the child confirming that he or she was looked after immediately prior to that order being made.

8. Parent: This includes all of those people, including carers, who have parental responsibility for a child as set out in the Children Act 1989. All references within this document to parent(s) therefore include carers.
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<td>Where these arrangements refer to ‘children applying’ it means parent(s) applying on behalf of children.</td>
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<td>9.</td>
<td>Where this policy refers to ‘children living closest to the school’, the distances calculated to determine who is closest will initially be measured in a direct line. Where these distances are equal the ranking of applications will be determined by drawing lots.</td>
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| 10. | **Contact details:**  
The Application Form should be returned to NSC on paper, by fax, or by email to the addresses below. If possible applications may also be made online via the website address below.  
North Somerset Council, Children and Young People’s Services, School Admissions and Transport Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.  
Tel No: 01275 884 078 Fax No: 01275 884 753  
Email: admissions@n-somerset.gov.uk  
Website: [www.n-somerset.gov.uk/admissions](http://www.n-somerset.gov.uk/admissions)  
Any relevant letters/supporting documents should also be submitted to the above addresses. Applications and any relevant letters/supporting documents received by the SAAT at its office in Castlewood, Tickenham Road, Clevedon may also be accepted.  
Whilst it is not the responsibility of other offices/schools to forward applications, the NSC School Admissions and Transport Team will use discretion and may accept applications/documents received by other Councils, Schools or other Council offices that are passed to the Team. |
| 11. | In circumstances where to not admit the child would result in NSC incurring unreasonable public expenditure, the prejudice to the provision of efficient education at the school may be balanced against the efficient use of resources and decisions will be made accordingly. |
| 12. | These arrangements apply as far as possible to all children including those considered to be from vulnerable groups in the NSC Fair Access Protocol. The protocol will only be used if a suitable place can not be secured using the normal admission arrangements. |
| 13. | St Katherine’s Secondary School First Geographical Areas (FGA) is shown in the addendum to this Appendix. An FGA is an area of priority for a school. Living in this area does not guarantee a child a place at the school but they may receive priority over children who live outside the FGA. Please see the over-subscription criteria above. |
| 14. | Unless a satisfactory reason is given, places must normally be accepted i.e. the child must commence attending the school, by the start date specified in any letter from NSC offering a place at a school. This will normally be within 14 days (or possibly 28 days for those moving house), of the date of the letter. However NSC may specify a date within a different time period if it thinks appropriate, for example where it is decided for admission to be at the start of a term. Parent’s notification of
the acceptance of an offer of a school place should be received by NSC within 2 weeks after the date of an offer.

15. Where a place can be offered NSC will notify the parents accordingly and the child should start at the school by the date indicated in the offer letter. Any request for an extension beyond the required start date will be considered by NSC on its individual merits. Where NSC considers that exceptional circumstances exist, places may be accepted after the specified start date, depending on the circumstances of the case. An example of exceptional circumstances may be where United Kingdom (UK) Service Personnel or other Crown Servants are returning to the UK. Places offered may be reserved for a child and/or his/her brother or sisters beyond the specified start date if parents are waiting for the outcome of an application or an appeal for a school place for their child before deciding to accept a place(s) or not.

16. NSC reserves the right not to admit up to the Admission Number/Level for a particular year group (other than the Intake Year).

17. Applications for all school places should be made and signed by a person with parental responsibility for the child as defined in the Children Act 1989. Applicants will be asked to confirm that they have parental responsibility the child on their application form. If applicants do not have parental responsibility, the person completing the form should send an accompanying letter (in paper or electronic format) explaining the reasons why they are applying rather than a person with parental responsibility. Any evidence to support the case should accompany the letter. The reasons will be considered by NSC and if deemed acceptable, the application will be processed accordingly. If not deemed acceptable, the application will be returned for the signature of a person with parental responsibility for the child.

18. **Nearest School.** Where these arrangements refer to the ‘nearest school’, unless stated otherwise:
   
   a) the distances used to determine the nearest school will be measured in a direct line. If direct line distances are equal the nearest school will be determined by drawing lots.

   b) the nearest school is the nearest appropriate one. An appropriate school is defined as a maintained* mainstream school (excluding Catholic schools) that provides the National Curriculum appropriate to the child’s age on joining the school.

   *i.e. not private or fee charging.

19. Unless stated otherwise within these arrangements all distances are measured in a ‘direct line’.

   a) Direct line: is where distances are measured in a straight line between the address points of the child’s home and the main entrance to the school, indicated on NSC computerised system(s). Unless stated otherwise where the direct line distances are equal, the ranking of applications will be determined by drawing lots.

   b) Where an applicant lives in a flat or other multi-home dwelling, the address point of the building will be used if it is not possible to determine the address point of the applicant’s home.
c) Shortest available walking route: is the shortest available walking route between the child’s home and the nearest entrance to the school site. We use the road and footpath network as defined by Ordnance Survey to calculate the route. The distance is calculated from the point on the road and footpath network which is closest to the child’s home as indicated on the NSC computerised mapping system and does not include the distance between the property and the road.

d) If it is not possible to measure a distance on NSC computerised system(s), NSC will use an alternative computerised system or a paper map.

20. To be considered as a brother or sister a child must be living at the same address for the majority of the time* as a full, half, step or an adoptive brother/sister of another child.

Full and adoptive brothers/sisters are defined as children who have the same biological or adoptive parents.
Half brothers/sisters are defined as children who share only one biological or adoptive parent.
Step brothers/sisters are defined as children who are not necessarily related biologically (including Foster children) but are living in the same household for the majority of the time at the address NSC considers to be the address of the child for whom the application is made.

A brother or sister must be attending the school at the time of admission i.e. he/she must be (or is expected to be by NSC) on roll at the school (or would be expected to be on roll if a place was offered).

*A child must be living at an address for at least 50% of the time to be considered as living there for the majority of the time.

It is the responsibility of parents to ensure that they declare on their application if they have a child (or have been allocated a place for a child) at their preferred school(s) or to inform NSC if a child obtains a place after they have applied.

A child attending a nursery/pre-school part of a school does not count as a brother or sister.

21. Applicants for the Reception Year have the option to delay their child’s admission until the term following the child’s 5th birthday (either term 3 or 5). If/once admission is agreed, parents should contact the school’s Head Teacher to arrange a delayed entry if required. Parents can request that their child takes up their place on a part-time basis until their child reaches compulsory school age.

22. Infant schools are paired with junior schools as follows:

- Hannah More Infant with Grove Junior
- High Down Infant with High Down Junior
- West Leigh Infant with Backwell Church of England Junior
• Yatton Infant with Yatton Church of England Junior

Because they were formerly First Schools, Mendip Green and Worle Village Primary Schools are paired with St Martin’s C of E School but only for children whose brother or sisters joined Mendip Green or Worle Village School prior to 1 September 2012.

A brother or sister who is in either the Reception Year, Year 1, Year 2 or Year 3 at St Martin’s C of E School in the 2014-15 school year will not count as attending a school that is paired with either Mendip Green or Worle Village Schools.

23. Parents may name up to 3 schools in rank order on the application form. All preferences are treated equally regardless of rank. Where a child can be offered a place at more than one school, the final offer will be the highest ranked school. Where a parent applies more than once, the most recent of the applications is deemed to be the appropriate one. The earlier application(s) will normally be withdrawn.

NSC will aim to notify parents of the result of their application within 10 school days.

Vacancies arising during the school year

24. Where a place at a preferred school cannot be offered, parents/carers will be able to request that their child’s name is placed on a list of those seeking a place as follows:

a. For admissions into a school’s normal intake admission year group only (not including Year 12 admissions) NSC on behalf of Community and VC schools, shall hold a waiting list of those applicants still seeking a place at their preferred school(s), until the last day of term 2 in 2015. All applications will be ranked in line with the published new intake oversubscription criteria (see Appendix 1) and allocations will be made in accordance with it. Each added child to the list will require the list to be ranked again in line with the published new intake oversubscription criteria. Priority will not be given on the basis simply of the date an application was added to the list. Children who are the subject of a direction by a council to admit, Children in Care, Children previously in Care or Children who are allocated a school in accordance with a Fair Access Protocol for school places, will take precedence over those on the waiting list.

b. After the last day of term 2 in 2015 for admissions into a school’s normal intake admission year group(s) (not including Year 12 admissions) NSC shall not keep a waiting a list. Parents may request that NSC ensures that their child’s name is placed on a list of those seeking a place as follows:

   Children who are the subject of a direction by a council to admit, Children in Care, Children previously in Care or Children who are allocated a school in accordance with a Fair Access Protocol for school places, will take precedence over those whose names have been recorded by NSC.
c. For all other year groups (not including years 12 and 13), NSC will **not** keep waiting lists as such. Parents may request that NSC ensures that their child is considered for any vacancy that may arise at their preferred North Somerset Community and VC school(s). NSC will record the names of children whose parent(s) request for them to be considered for a vacant place at a school or apply for a place at a school. The name of a child will be kept up to the last day of the term only. Parents will have to contact NSC again if they still wish to be considered for a place during each subsequent term. If a vacancy arises, the authority will allocate the school place in accordance with the **In-Year** over-subscription criteria. Children who are the subject of a direction by a council to admit, Children in Care, Children previously in Care or Children who are allocated a school in accordance with a Fair Access Protocol for school places, will take precedence over those whose names have been recorded by NSC.

d. If children are not on the NSC database the parents may be asked to complete an application form before being added to a waiting list or recorded by NSC.

e. Any application where an application/appeal is outstanding will be considered for a vacancy at a North Somerset school along with those children whose names have been recorded by NSC as requesting/applying for a place. Names of children whose cases have been heard but dismissed by an independent appeal panel will be recorded by NSC as requesting a place for the remainder of the term in which the appeal was heard.

f. When a vacancy occurs in a term the waiting list/children whose names have been recorded by NSC, for that term should be used (along with any applications received by NSC) even if it is being filled after the end of that term.

Where an application is received the child’s name will be retained on the list for the period specified in a, b, or c, above. Parents will be expected to notify NSC if they wish for their child to be considered for a vacancy each term. If able to offer a place, every effort will be made to contact including using the last contact details provided by the applicant. Where a response to an offer has not been received within 10 school days, the offer may be withdrawn and the available place offered to the next child on the waiting list to qualify for the available place.

25. NSC reserves the right to require documentary evidence of the genuineness of a family address and if this is not produced, reserves the right to make its own enquiries.

The child’s normal permanent home address where he or she lives with his or her parents or legal guardians will be used to decide where the child lives. If parents or guardians plan to move documentary evidence will be required.

Examples of evidence that may be acceptable to determine a child’s address are: -

i. A solicitor’s letter confirming exchange of contracts and a completion date for a property which is being purchased or a property which is being sold.

ii. A copy of a signed rental agreement or a solicitor’s letter if moving to a
council or rented property and proof of your sale or Notice to Quit on your current/previous property.

iii. A copy of a council tax bill or utility bill such as water, gas or electricity in your name for your newly owned or rented property together with proof of your sale or Notice to Quit on your current/previous property.

iv. If you are moving in with a relative a letter from them will be required confirming the date you will be moving in together with a copy utility bill showing their name and address. A solicitor’s letter will also be required confirming that completion of contracts has taken place on your sale or Notice to Quit on your current/previous property.

### 26.

Except for deferred entry for Reception Year Group children, applications will not normally be considered until approximately 35 days for those moving house and 21 days for those not moving house, in advance of the date when the place is required. However applications for admission in September 2016 will be considered from 1 July 2016.

### 27.

NSC reserves the right to withdraw an offer of a school place in certain limited circumstances. Examples include:

i. Where a parent has given fraudulent or intentionally misleading information such as a false address, which effectively denied a place to a child with a stronger claim.

ii. Where a parent has not responded to an offer within the deadline set by the NSC or to any subsequent reminder to reply within a further 7 days.

iii. Where a higher preference school has been offered or where the highest preference school on the latest application has been able to be met.

iv. Where the offer was made as a result of an administrative error.

Where before offers are made, an application is deemed to be fraudulent or intentionally misleading the application will be considered on the basis of the correct information. It is the parent’s responsibility to inform NSC if their contact details change after making an application.

### 28.

Where the requested school preference(s) cannot be offered to parents of North Somerset children, they will be informed of their right to have their case considered by the independent Appeal Panel.

### 29.

Where a school wishes to admit a child as part of a Negotiated Transfer they should inform the Learning Support Service and the School Admissions and Transport Team of NSC. When wanting to make such a transfer permanent the school or parent should apply to the School Admissions and Transport Team.

### 30.

Applications will be accepted for children who meet one or more of the following:

i) are resident in the UK

ii) hold full British Citizen Passports

iii) are from countries whose passports have been endorsed to show that they have the right to abode in this country
iv) are from the European Economic Area (EEA).

Applications for children who do not meet one of the above will usually not be accepted until the child is in this country. Those who live outside of the United Kingdom (UK) and are wishing to attend a North Somerset school should apply directly to NSC. However applications for children who do meet one of the above will not be accepted until the child is in this country.

Applicants may be asked to confirm that the child(ren) is a resident of an EEA country. Applicants for children from non-EEA countries may be required to provide copies of the child’s and/or their passport and/or visa in order to confirm that they are entitled to receive state funded education in this country.

NSC reserves the right to check that applicants who have previously lived abroad are eligible to receive education in this country. Such applicants may be required to produce their passport and/or their child’s passport before the application is considered.

### 31.

For school admission purposes, NSC will consider the child’s home address to be the place where the child permanently and ordinarily resides for the majority of the time. This would normally be the same address as the person who has parental responsibility for the child as their main carer. It will not include the address of a child that is different from his/her parents where the move to this address is expressly linked to obtaining a school place.

Where parents do not live together and the child spends equal amounts of time with both parents, NSC will consider the home of the parent who made the application to be the child’s home.

### 32.

NSC will not accept more than one address as the child’s home address. The terms of a residency order may clarify the home address. Where necessary to determine which address to recognise and in the absence of a residency order, NSC will consider the home address to be with the parent with primary day to day care and control of the child. In reaching this decision, evidence may be requested to show for example the address to which any Child Benefit is paid and from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered in reaching a decision on the home address for admissions purposes. This may be necessary for instance where parents do not agree on the child’s home address. Parents are urged to reach agreement but where they do not, NSC will determine the home address.

### 33.

Where parents share parental responsibility for a child and two applications are received for the one child from his/her parents, NSC will ask the parents to determine which application it should consider and which application should be withdrawn. This is because NSC will offer only one school place to a child at any one time. If parents cannot agree, they should resolve the issue through the court system, for example to obtain a ‘Specific Issues Order’ which specifies which parent has responsibility to make decisions on school preferences. However, in the absence of any Order the decision as to which application should be accepted will be determined by drawing lots. Whichever parent’s application is accepted, the address the child spends the majority of his/her time, will be the one considered by NSC to be the home address.

### 34.

NSC may undertake rigorous residency checks and reserves the right to request independent confirmation of the child’s place of residence. Parents may be asked to
supply such documentation to support their application as deemed appropriate by NSC, for example a Child Benefit Book or a letter from the Inland Revenue may be required.

35. Where a school is full in a year group and NSC receive an application from a family that is changing address, the application will be considered from the proposed new address provided NSC has received suitable confirmation of the new address. Some examples of suitable confirmation are: proof of exchange of contracts and a completion date, a signed letting agreement, or a letter from an employer or Service person’s commanding officer, confirming details of the relocation. Applicants may also be required to provide proof that they have left their previous property, for example a final account utility bill. If unable to provide confirmation of the proposed address, the application will only be considered from the present address providing the child can attend the requested school(s) from the present address.

36. For UK Service Personnel and other Crown Servants, where possible, places may be allocated in advance of the pupils return to the UK provided the MOD, FCO or GCHQ have provided a letter declaring a return date and residency placement. Places may be offered and reserved up to one term in advance of the place being required.

Offer of alternative places

37. Infant, Junior and Primary schools;

a. Where applicants are not offered a place at the school(s) they have applied for, the alternative school offered will be, if the child lives in North Somerset, the nearest school within or outside North Somerset, to the child’s home address (as at the time allocations are being made) with a place available as measured by the shortest available walking route. This may be a State Maintained North Somerset Community or VC school or a school within another council (where the admission authority has agreed to accept children who have been refused other schools).

b. Where there are more children than places remaining at the nearest school, priority will be given to those living closest to the school. Remaining applicants will then be offered the next nearest school with a place available. Once that school becomes full, any remaining applicants will then be offered the next nearest school with a place available and so on. The distances will be measured by a direct line between the address points of the child’s home and main school entrance indicated on North Somerset Council’s computerised system(s).

c. The alternative school offered may not be the nearest one available, if after having had regard to any reasons expressed by the parent for their (unsuccessful) preferences and NSC admission arrangements, NSC felt it was appropriate to offer a different alternative school.

d. The offered school may be an own admission authority school within North Somerset if they are prepared to admit the child.

e. If no preferred school in North Somerset can be offered for a child living in another council area, NSC will not look for an alternative school place. The child’s home council will offer an alternative school place.

If children within the same family and within the same school age range) are offered
places at different schools NSC will endeavour to also reserve places for the children at a school that can accommodate all of the children (NB paired infant and junior schools are treated as being one school).

39. **For St Katherine’s Secondary School:**

   a. Where children who reside in North Somerset are refused a place at the school, NSC will endeavour to arrange for a place to be offered at an alternative North Somerset School or a school in another authority, where the admission authority is prepared to accept the child.

   b. If no preferred school in North Somerset can be offered for a child living in another council area, NSC will not look for an alternative school place. The child’s home council will offer an alternative school place.

40. **Exclusions issues:**

   Although pupils who have been permanently excluded from another mainstream school have the right, as with all other pupils, to be considered for entry to the school of their parents’ choice, an exception is made for pupils who have been permanently excluded from two different schools within a two year period. A parent can still express a preference for a school place, but the requirement to comply with that preference is removed for a period of two years from the date on which the latest exclusion took place. This does not apply to: children with a Statement of Special Education Needs or an Education, Health and Care Plan; children who are below compulsory school age when excluded; children who were reinstated following a permanent exclusion; and children who would have been reinstated following a permanent exclusion had it been practicable to do so. The authority may refuse to admit a child who has been excluded twice, or in the case of a community or voluntary controlled school, the governing body may appeal against the decision of the local council as the admission authority to admit the child. The parents normal right of appeal against a decision to refuse not to admit their child to a particular school is suspended for 2 years, from the second or any subsequent exclusion.

41. **New Schools** - Applications for places at new schools will be administered in accordance with the published guidelines for that school. Where a consultation process has not been followed as a default, new schools will follow the policies of North Somerset Councils Community and VC Schools. Where possible, details of the processes and closing dates to be followed for new schools will be made available and published as necessary.

42. Whilst NSC will process applications in accordance with these arrangements, it may exercise discretion and may deviate from it in exceptional circumstances where it feels it is appropriate to do so.

43. It should be noted that this is a working document and is subject to alteration at anytime to reflect any changes in legislation, case law, Council policy or to ensure legal compliance.