



Executive
15 July 2013

**Report from the Director of Children
and Families and Strategic Director
Regeneration and Growth**

Wards Affected: ALL

**Determination proposal to permanently expand primary
schools in Brent**

1.0 Summary

1.1 This report informs the Executive of the outcome of the statutory proposals to alter the following schools through permanent expansion from September 2014 and recommends that they be approved:

- Preston Park Primary School (Community) by one form of entry
- Harlesden Primary School (Community) by two forms of entry

1.2 The Representation period on the proposals ended on 13 June 2013 for both schools.

1.3 Brent Council in agreement with the Governing Body Preston Park Primary School has proposed to alter the school by adding one form of entry. The current capacity of the school is 630 and the proposed capacity will be 840. The current admission number for the school is 90 and the proposed admission number will be 120. This school currently has several bulge/temporary classes which means the number of children on roll currently is 793.

1.4 Brent Council in agreement with the Governing Body of Harlesden Primary School has proposed to alter the school by adding two forms of entry. The current capacity of the school is 210 and the proposed capacity will be 630. The current admission number for the school is 30 and the proposed admission number will be 90.

2.0 Recommendations

The Executive is recommended to:

2.1 Approve the permanent expansion of Preston Park Primary School (Community) by one form of entry from September 2014, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by the end of October 2013 or other such date as agreed by the Director of Children and Families and the Strategic Director of Regeneration and Growth.

15 July 2013 meeting

- 2.2 Approve the permanent expansion of Harlesden Primary School (Community) by two forms of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by the end of October 2013 or other such date as agreed by the Director of Children and Families and the Strategic Director of Regeneration and Growth.
- 2.4 Note that the reason for approving the alteration of Preston Park Primary and Harlesden primary schools is to provide permanent primary places in areas of the borough which have severe shortages of Reception and Year 1 school places.

3.0 Detail

3.1 Background

- 3.1.1 Brent Council has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area.
- 3.1.2 According to the GLA projection of school rolls (based on the January 2013 pupil census data), the number of four year olds on roll is expected to rise to 4264 by January 2018 from the current number of 3804 on roll (provisional January 2013 pupil census data). This is an increase of 461 pupils (12%) within a space of 5 years.
- 3.1.3 In the last four academic years, the GLA projections have proved decreasingly accurate for primary school rolls and has not captured fully the actual rise in demand for primary school places. This is generally the case across London authorities, which are being caught by extremely high numbers of applications for Reception and Year 1 places.
- 3.1.4 On time Reception applications received for the 2013/14 academic year totalled 3792, a 2% increase on the on time applications for the current 2012/13 academic year (3717). 3617 on time applications were received for the 2011/12 academic year. On average approximately 10 late applications are received between the closing date in January and the start of term in September each year.
- 3.1.5 The demand for school places is mainly driven by:
- Housing growth;
 - Increased density of use of existing housing stock;
 - Inward economic and other migration;
 - Decreasing availability of places in neighbouring boroughs;
 - Increased live births and fertility rates
- 3.1.6 Following the temporary and permanent expansions already carried out, currently all children arriving in Brent are receiving an offer of a school place but delays in parents taking up the places available and the reluctance of some parents to travel to the schools offered lead to some unplaced children and a net deficit of places in Year 1, with Reception very tight.
- 3.1.7 The report presented to Executive on 20 May 2013 sets out the Council's overall programme for school expansion to meet need and the funding which is in place from DfE and other sources to meet the need for growth in places.

- 3.1.8 In making decisions about the delivery of additional school places, the Council has established a set of planning principles. In June 2011, the Council consulted with the schools on these planning principles. Subsequently, a short list of schools based on the local area of demand was derived from the long list of schools based on the following criteria:
- shortage of school places in a local area;
 - physical expansion of a school on a permanent basis deemed to be feasible;
 - risk associated with the expansion of the specific schools including likelihood of planning consent;
 - availability of funding to expand the school.
- 3.1.9 Educational standards have also been taken into account and the schools' capacity to cope with the expansion, while raising standards. Ideally the council would only be expanding good and outstanding schools. Preston Park school is rated Good by Ofsted. Harlesden Primary School received 'requires improvement' in its most recent Ofsted report but the School Improvement Team has taken the view that the expansion of the school can be managed in a way which will support positively the improvement of the school. The Council has had to expand schools which are not good/outstanding because of the sheer scale of demand and this has not proved detrimental to those schools.
- 3.1.10 In August 2012 (as amended at Executive in May 2013) the Executive approved the strategy for the delivery of primary school places, which included the permanent expansion schemes at Preston Park Primary School (1FE) and Harlesden Primary School (2FE). The statutory consultations commenced in February 2013 and the architects began developing the previously completed feasibility studies into fully designed schemes in April 2013. New places will be available at the schools by September 2014.
- 3.1.11 In order to meet the shortage of primary places, the school expansions are being designed using a mixture of traditional and innovative off-site modular solutions with at least a 60 year design life. The designs are currently being developed to ensure that the schools would be built in the most efficient way, with sustainable standards, such as, BREEAM Very Good and with natural ventilation, where possible.
- 3.1.12 This means that the Council will be able to complete the permanent building works for both schools in time for the September 2014 academic year.

3.2 Proposals to alter the two primary schools

- 3.2.1 The proposals comply with the Government's guidance on school expansions and their current agenda for raising standards, innovation and transforming education and in the process meet area and design guidance standards as detailed in Building Bulletin 99 and subsequent EFA baseline designs, where feasible.
- 3.2.2 The expansion of Preston Park and Harlesden primary schools are fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The schools serve a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.
- 3.2.3 The expansion of Preston Park and Harlesden primary schools will increase the choice available to local parents and residents in an area of demand. The proposals will

increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

- 3.2.4 Both are popular primary schools. The local authority is confident that sufficient number of applications will be received for the permanent primary provision.
- 3.2.5 The travel arrangements for existing pupils are not changed for pupils at the two schools. However, the expansion of provision will enable more Brent pupils to be educated in general nearer to where they live. A full traffic assessment is being carried out, which will inform the planning application and school travel plan.
- 3.2.6 Additional classrooms and facilities will be provided to support the educational standards in both schools for all pupils and staff. The expansion will provide:
- a safe and secure environment
 - a healthy environment with properly ventilated, appropriately sized classrooms with easy access to outside space (where possible and required).
 - spaces to maximise natural daylighting and control sunlight, to maximise thermal comfort, control glare and provide a suitable internal environment.
 - environmentally friendly and efficient spaces
 - minimal loss of 'down-time' i.e travel to core facilities, toilets, etc. within at least the expanded building.
 - allow a variety of learning experiences - individual, group, class, year group, quiet spaces internal and external in line with the requirements of the EFA baseline designs.
 - Maximised use of existing outdoor playing space and enhancement where possible and required.
 - Enhanced opportunity for the community to become involved in the school and support the children's learning
 - Classrooms to support easy access to ICT provision.
- 3.2.7 Area analysis of the sites has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation. The target of 'very good' is being aimed for, Building Research Establishment Environmental Assessment Method (BREEAM) accreditation subject to planning requirements.
- 3.2.8 Subject to planning application approval and detailed programme review, it is anticipated that, the building works for both schools will commence in January 2014.
- 3.2.9 No change to the existing SEN provision is being proposed for either of the schools. The proposals will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposals will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

3.3 Preston Park Primary School

- 3.3.1 Preston Park Primary School is located at College Road, Wembley, HA9 8RJ. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.3.1 The Local Authority in agreement with the governing body published a proposal to expand Preston Park Primary School by one form of entry from September 2014.
- 3.3.2 Upon implementation of the proposal, Preston Park Primary School would provide 30 new permanent Reception places from 1 September 2014, subject to planning permission due to the building constraints. The expansion will provide an additional

class in each year group (210 new primary places in total per school) with an increase of 30 permanent places in each year group starting at Reception age in September 2014 and rising to Year 6 by September 2020.

- 3.3.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by the end of October 2013, Preston Park Primary School will offer 4FE provision from September 2014. Its admission capacity will increase from 630 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.3.4 Preston Park currently runs several temporary classes and a temporary satellite provision. Therefore the school already provides 810 places (630 permanent and 180 temporary). The proposal is to make all 840 places (Reception to Year 6) permanent places.
- 3.3.5 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction linked to the existing school building. The EFA Baseline Designs will be used as a guideline for constructing the new extensions to the existing school with Building Bulletin 99 used where appropriate. As a result of the build, the external play space will be reconfigured on the site and a review undertaken of existing temporary accommodation on the school site.

The new Reception class is planned to be available from September 2014. When all building works are also expected to be complete, thereby providing the full capacity of 210 new school places required under the statutory proposal.

3.4 Harlesden Primary School

- 3.4.1 Harlesden Primary School is located at Acton Lane, London, NW10 8UT. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.4.2 The Governing Body in agreement with the Local Authority published a proposal to expand Harlesden Primary School by two forms of entry from September 2014.
- 3.4.3 Upon implementation of the proposal, Harlesden Primary School would provide 60 new permanent Reception places only from 1 September 2014, subject to planning permission. The expansion will provide an additional two classes in each year group (420 new primary places in total) but the increase of 60 places in each year group is intended to start at Reception age in September 2014 and rise to Year 6 by September 2020.
- 3.4.4 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by end of October 2013, Harlesden Primary School will offer 3FE provision from September 2014. Its admission capacity will increase from 210 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.4.5 The proposed accommodation for the expansion by two forms of entry would be of a permanent high quality construction within the existing school grounds linked to the existing building via covered walkways. There will be some internal reconfiguration within the existing school. The EFA Baseline Designs will be used as a guideline for constructing the new extensions to the existing school, with Building Bulletin 99 used where appropriate. As a result of the build, the external play space will be reconfigured on the site to maximise the opportunities for outdoor play within this site and a rooftop play area is proposed, subject to planning approval, to address any shortfall.

- 3.4.6 The new Reception classes are planned to be available from September 2014 when all building works are also expected to be complete, thereby providing the full capacity of 420 new school places required under the statutory proposal.

3.5 Statutory Process

Stage One Consultation

3.5.1 Preston Park Primary School

The Local Authority with the support of the Governing Body of Preston Park Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 1. Over 1200 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, a private company was commissioned to hand deliver approximately 400 copies to homes in the areas surrounding the school.

- 3.5.2 Consultation meetings with staff, parents and the community were held at the school on 28 February 2013, details of which can be found in Appendix 2 as attachments.

- 3.5.3 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 840 Reception to Year 6 places, completed on 13 June 2013. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.5.4 The Preston Park proposal received 32 responses to the consultation. 18 (56%) consultees support the proposal, 9 (28%) consultees expressed concerns and were against the proposal, whilst 5 (16%) remained undecided.

- 3.5.5 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 3) and full proposal (Appendix 2).

3.5.6 Harlesden Primary School

The Local Authority with the support of the Governing Body of Harlesden Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 4. Over 800 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, a private company hand delivered approximately 400 copies to homes in the areas surrounding the school.

- 3.5.7 Consultation meetings with staff, parents and the community were held at the school on 6 March 2013, details of which can be found in Appendix 5 as attachments.

- 3.5.8 The statutory consultative stage of the proposal to expand by two forms of entry thereby increasing the provision to 630 Reception to Year 6 places completed on 20 March 2013. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.5.9 The proposal received 10 responses to the consultation. 2 (20%) consultees support the proposal, 7 (70%) consultees expressed concerns and were against the proposal, whilst 1 (10%) remained undecided.

- 3.5.10 The relatively high number of adverse responses to the Harlesden consultation came mainly from local residents. Their concerns included: the site is not big enough, it will be detrimental to the quality of educational experience and child welfare for the 15 July 2013 meeting

pupils of the school, all energies of the Head, staff and governors should be directed towards the improvement of the school towards Good or even Outstanding OFSTED inspection. Full responses can be found at the back of Appendix 5.

- 3.5.11 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 6 and full proposal (Appendix 5).

Publication of Statutory Notice and Representation Period

- 3.5.12 Following the consultation stages outlined above, the Local Authority with the support of the governing bodies of Preston Park Primary School and Harlesden Primary School published the Statutory Notices in two local newspapers on 16 May 2013 for altering the schools by expanding Preston Park Primary School by one form entry and Harlesden Primary School by two forms of entry from September 2014.
- 3.5.13 The Council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 by the end of October 2013. Hence, the Executive is requested to approve the expansion of Preston Park and Harlesden primary schools from September 2014, conditional upon the granting of planning permission and in accordance with Regulation 38 (1) (a) of the School Organisation Regulations.
- 3.5.14 Copies of the full statutory proposals are attached as Appendices 2 and 5 and the statutory notices as Appendices 3 and 6.
- 3.5.15 The statutory notices were followed by a 4 week statutory period (Representation stage), which ended on 13 June 2013, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Executive when the proposal is determined.

Responses received during the Representation Stage:

- 3.5.16 Three representations were received for the two schools during the 4 week statutory period as outlined below:

	Agree	Disagree
Preston Park	0	1
Harlesden	0	2

All three representations can be found in Appendix 7.

3.6 Next Steps

- 3.6.1 The anticipated dates for the key project milestones following a decision by the Executive to determine this proposal to alter Preston Park and Harlesden primary schools are set out in the timetable below:

Milestone	Date
Executive Decision to expand the schools	15 July 2013
Planning Application submitted	26 July 2013

15 July 2013 meeting

Planning Approval anticipated by	31 October 2013
Award of contract for building works by Executive	Mid-November 2013
Reception class with 30 new places commences on	1 September 2014
Building work finishes	31 July 2014
Full New Capacity (R-Y6) available from	September 2014

4.0 Financial Implications – Finance to review and update

The report submitted to the May 2013 meeting of the Executive provided an update on the school expansion programme with a focus on optimising the use of available funding. The total main capital allocation available to spend by the end of 2014-15 on new school places is £87.99m, including new and the balance of prior year grant allocations as well as Section 106 and Schools contributions but excluding allocations agreed to deliver Phase 1 primary expansion.

- 4.1 Estimated costs for all proposed primary expansions were provided in the August 2012 Executive report. The budget for Preston Park has been reduced to reflect the change in size of expansion from 2FE in August 2012 to 1FE now. These are shown below with an update on the current budget allocation:

School	Estimated capital project cost (August 2012)	Current estimated capital project
Preston Park Primary School	£9m	£4.5m
Harlesden Primary School	£7m	£7m

- 4.2 The expansion of pupil numbers at each of the proposed schools will result in increased revenue costs associated with the increased provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formula allocation from the DfE.

5.0 Legal implications

- 5.1 The procedure for the enlargement of Preston Park Primary School and Harlesden Primary School is as required by The Education and Inspections Act 2006 (as amended by the Education Act 2011) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Local Authority is entitled to make prescribed alterations to Preston Park Primary School and Harlesden Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 5.2 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 5.3 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to
15 July 2013 meeting

ensure that there are sufficient school places available to meet the needs of the population in its area. LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.

- 5.4 The Brent Executive acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.
- 5.5 The Executive would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form is applicable.
- 5.6 If the Local Authority fail to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the 2 month period.

5.7 **Decision Making:**

- 5.8 There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.

- Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The four week statutory representation period closed on 13 June 2013.

- Has the statutory consultation been carried out prior to the publication of the notice?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

- Are the proposals "related" to other published proposals?

Preston Park Primary School and Harlesden Primary School proposals are being carried out at the same time but are not dependent or 'related' to each other or other proposals.

5.9 **Types of Decision**

- 5.10 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

- 5.11 In considering prescribed alteration proposals, the Decision Maker can decide to:
- reject the proposals;
 - approve the proposals;
 - approve the proposals with a modification (e.g. the implementation date); or
 - approve the proposals subject to them meeting a specific condition.
- 5.12 The following bodies may appeal against an LA decision:
- The local Church of England diocese;
 - The Bishop of the local Roman Catholic diocese;
 - The governing body of the Community School that is proposed for expansion.
- 5.13 Any appeals must be submitted to the LA within 4 weeks of the notification of the LA decision. On receipt of an appeal the LA must then send the proposals and the comments and objections received, to the schools adjudicator within 1 week of receipt of the appeal. The LA should also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals must also be sent to the schools adjudicator.
- 5.14 Procurement: The construction contract/s associated with these expansions will be addressed as part of the wider primary school expansion, with preference to undertake one procurement exercise for a construction contract covering all schemes within the same phase of the programme. Appropriate procurement routes are currently being reviewed with LBB Procurement and Legal Services and a further report will be brought to the Executive in accordance with Council Standing Orders for approval to procure and approval to award any contract.

6.0 Diversity Implications

- 6.1 The schools proposed for expansion have an ethnically diverse pupil population and catchment of pupils who need places. Expanding Preston Park and Harlesden primary schools would enable the Council to provide additional new places required for Brent's growing pupil population.
- 6.2 The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported as the school expansion programme is reviewed.
- 6.3 The joint Equality Impact Assessment for the schools has been completed for Preston Park and Harlesden primary schools.

7.0 Staffing Issues

- 7.1 With the expansion of pupil numbers there is likely to be an expansion of posts rather than a reduction. The costs relating to the need to provide for additional pupils will be covered by the schools' budgets.

8.0 Background Papers

- Equality Impact Assessment for all schools consulting during 2013 to change their character
- Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form
- Research Study - A Good School Places for Every Child in Brent, 2008
<http://intranet.brent.gov.uk/consultation.nsf/0/38c39cab7915e95c802573b8003feb74?OpenDocument>

9.0 Appendices

Appendix 1	Preston Park Primary School – consultation document
Appendix 2	Preston Park Primary School – full statutory proposal document
Appendix 3	Preston Park Primary School – statutory notice
Appendix 4	Harlesden Primary School – consultation document
Appendix 5	Harlesden Primary School – full statutory proposal document
Appendix 6	Harlesden Primary School – statutory notice
Appendix 7	Representations against the expansion of Preston Park and Harlesden

Contact Officers:

Judith Joseph
School Place Planning Officer
Children & Families
Judith.Joseph@brent.gov.uk
Tel: 020 837 1061

Cheryl Painting
Programme Manager – Schools Capital Programme
Regeneration & Growth
cheryl.painting@brent.gov.uk
Tel: 020 8937 3227

Richard Barrett
Operations Director of Property & Projects
Regeneration & Growth
Richard.Barrett@brent.gov.uk

KRUTIKA PAU
DIRECTOR OF CHILDREN AND FAMILIES

ANDREW DONALD
DIRECTOR OF REGENERATION & GROWTH

