



**Executive**  
11 November 2013

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

For Decision

Wards Affected: ALL

**Determination proposal to permanently expand St Joseph's  
Catholic Primary School by September 2014**

**1.0 Summary**

- 1.1 This report informs the Executive of the outcome of the statutory proposal to alter St Joseph's Catholic Primary School through permanent expansion from September 2014 and recommends that it be approved.
- 1.2 The Representation period on the proposals ended on 24 October 2013.
- 1.3 The Governing Body of St Joseph's Catholic Primary School in agreement with the Diocese of Westminster and in partnership with Brent Local Authority has proposed to alter the school by adding one form of entry. The current capacity of the school is 420 and the proposed capacity will be 630. The current admission number for the school is 60 and the proposed admission number will be 90. This school currently has one bulge/temporary class which means the number of children on roll currently is 442.

**2.0 Recommendations**

The Executive is recommended to:

- 2.1 Approve the permanent expansion of St Joseph's Catholic Primary School (Voluntary Aided) 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 December 2013 or other such date as agreed by the Director of Children and Families and the Strategic Director of Regeneration and Growth.
- 2.2 Note that the reason for approving the alteration of St Joseph's Catholic Primary School 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 Actual demand appears now to be outstripping the GLA projects and when the new projections are received in November 2013, they will be reviewed to assess the degree of local adjustment required and whether even greater expansion is required across primary schools than is already planned. These issues are widespread 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 20-25 late reception applications per week were received between the closing date in January and the beginning of term, approximately 50% more than last 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 The report presented to Executive on 20 May 2013 set 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.
- 3.1.7 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.
- 3.1.8 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. St Joseph's Catholic school was rated Outstanding by Ofsted in January 2013.
- 3.1.9 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 scheme at St Joseph's Catholic Primary School by 1FE. The statutory consultations commenced on 7 May 2013 and the architects began developing the previously completed feasibility studies into fully designed schemes in June 2013. New places will be available at the schools by September 2014.
- 3.1.10 The St Joseph school expansion is 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 where possible.

- 3.1.11 This means that the Council will be able to complete the permanent building works in time for the September 2014 academic year.

## **3.2 Proposals to alter the St Joseph's Catholic Primary School**

- 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 St Joseph's Catholic Primary School is 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 school serves a 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 will increase the choice available to local parents and residents in an area of demand. The proposal 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 St Joseph's is a popular primary school. 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 will not change for pupils at the school. 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 day lighting 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 February 2014.

- 3.2.9 No change to the existing SEN provision is being proposed. The proposal 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 proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

### 3.3 St Joseph's Catholic Primary School

- 3.3.1 St Joseph's Catholic Primary School is located at Goodson Road, Harlesden, NW10 9LS. It is a Voluntary Aided school and their own admissions authority. It offers Catholic mixed gender places for students aged 3-11 years.
- 3.3.2 The governing body of St Joseph's in agreement with the Diocese of Westminster and in partnership with Brent Local Authority published a proposal to expand St Joseph's Catholic Primary School by one form of entry from September 2014.
- 3.3.3 Upon implementation of the proposal, St Joseph's Catholic 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.
- 3.3.4 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by December 2013, St Joseph's Catholic Primary School will offer 3FE provision from September 2014. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school 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
- 3.3.6 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 **Statutory Process**

#### Stage One Consultation

- 3.4.1 St Joseph's Catholic Primary School  
The Governing Body of St Joseph's Catholic Primary School in agreement with the Diocese of Westminster and in partnership with the Local Authority 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 500 copies to homes in the areas surrounding the school.
- 3.4.2 A consultation meeting with parents and the community was held at the school on 14 May 2013, details of which can be found in Appendix 2 as an attachment.
- 3.4.3 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 630 Reception to Year 6 places, completed on 7 June 2013. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.4.4 The St Joseph's Catholic proposal received 26 responses to the consultation. 19 (73%) consultees support the proposal, 2 (8%) consultees expressed concerns and were against the proposal, whilst 5 (19%) remained undecided.
- 3.4.5 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 3) and full proposal (Appendix 2).

#### **Publication of Statutory Notice and Representation Period**

- 3.4.6 Following the consultation stages outlined above, governing body of St Joseph's Catholic Primary School with the support of the Diocese of Westminster and in partnership with the Local Authority published the Statutory Notice in two local newspapers on 26 September 2013 for altering the school by one form entry from September 2014.
- 3.4.7 The Council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 by December 2013. Hence, the Executive is requested to approve the expansion of St Joseph's Catholic School from September 2014, conditional upon the granting of planning permission and in accordance with Schedule 3 Regulation 38 (1) (a) of the School Organisation Regulations.
- 3.4.8 The full statutory proposal is attached as Appendix 2.
- 3.4.9 The statutory notice was followed by a 4 week statutory period (Representation stage), which ended on 24 October 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:**

3.4.10 0 representations were received during the 4 week statutory period as outlined below:

### **3.5 Next Steps**

3.5.1 The anticipated dates for the key project milestones following a decision by the Executive to determine this proposal to alter St Joseph's Catholic School are set out in the timetable below:

| <b>Milestone</b>                                | <b>Date</b>       |
|---|-------------------|
| Executive Decision to expand the school         | 11 November 2013  |
| Planning Application submitted                  | 20 September 2013 |
| Planning Approval anticipated by                | 11 December 2013  |
| Building works complete                         | 15 August 2014    |
| Reception class with 30 new places commences on | 1 September 2014  |
| Building work finishes                          | 31 July 2014      |
| Full New Capacity (R-Y6) available from         | 1 September 2014  |

### **4.0 Financial Implications**

- 4.1 The report submitted to the May 2013 meeting of the Executive detailed the total main capital allocation available to spend by the end of 2014/15 on new school places as £87.99m from secured resources. From the available resources an initial allocation of £3.2m has been made to the proposed expansion of St. Josephs Catholic Primary School. It should be noted that this is a provisional budgetary allocation to the scheme which could be amended as more definitive cost forecasts are provided. Any variations to this figure will be contained within overall capital budget provisions.
- 4.2 The proposed expansion of pupil numbers at the school will result in increased revenue costs associated with the additional provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formula allocation from the DfE. However, the proposed intake of additional pupils from September 2014 will mean that the school will not receive the increased grant until the following academic year as the calculation is based on the previous October's pupil numbers. As such the school will require funding equivalent to 7/12's of the total additional grant to meet the costs of the expanded pupil numbers until the following years allocation is received. This shortfall in funding will be provided from existing Children and Families Dedicated Schools Grant revenue budget as funding has been set aside for additional classes.

### **5.0 Legal implications**

- 5.1 The procedure for the enlargement of St Joseph's Catholic 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 St Joseph's Catholic 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 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 24 October 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?  
**St Joseph's Catholic 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 St Joseph's 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 St Joseph's Primary School.

## **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**

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| Appendix 1 | St Joseph's Catholic Primary School – consultation document            |
| Appendix 2 | St Joseph's Catholic Primary School – full statutory proposal document |
| Appendix 3 | St Joseph's Catholic Primary School – statutory notice                 |



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