



Cabinet
24 August 2015

**Report from the Strategic Director
Children and Young People and the
Strategic Director Regeneration and
Growth**

Wards Affected: ALL

**Determination of the proposal to permanently expand
Elsley Primary School and Uxendon Manor Primary
School**

1. Summary

- 1.1. In line with the School Place Planning Strategy approved by Cabinet in October 2014, the following alterations have been proposed by the relevant governing bodies in partnership with Brent Council:
 - Permanently expand Elsley Primary School by two forms of entry (2FE)
 - Permanently expand Uxendon Manor Primary School by two forms of entry (2FE)
- 1.2. This report informs the Cabinet of the outcome of the statutory consultations on the proposals to alter Elsley Primary School from September 2016 and Uxendon Manor Primary School from September 2015 through permanent expansion and recommends that the statutory proposals to expand the schools be approved.
- 1.3. The representation period on the proposals ended on 16 July 2015 for Elsley Primary School and 9 July 2015 for Uxendon Manor School. This report also informs the Cabinet of the responses to the consultations.

2. Recommendations

- 2.1. The Cabinet is recommended to:
- 2.2. Approve the permanent expansion of Elsley Primary School, a community school, by two forms of entry from September 2016, (conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by February 2016 or at such date as agreed by the Strategic Director Children and Young People and the Strategic Director Regeneration and Growth).

- 2.3. Approve the permanent expansion of Uxendon Manor Primary School, a community school, by two forms of entry from September 2015, (conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by December 2015 or at such date as agreed by the Strategic Director Children and Young People and the Strategic Director Regeneration and Growth). In the event planning permission is not granted, the additional 60 Reception places for September 2015 will provide temporary bulge provision until the children leave the school after Year 6.
- 2.4. The alterations are to provide sufficient permanent primary school places in this region in line with the council's statutory duties and its School Place Planning Strategy 2014.

3. Background

- 3.1.1. In October 2014, the Cabinet approved a School Place Planning Strategy. This established the need for a continuing programme of provision of additional school places and, for the first time, a set of principles which the council would use to determine its future decision making on school place planning. These were established in the context of the overall objective of securing sufficient high quality school places for all Brent's children in line with the council's statutory responsibilities. The strategy also established that the council would aim to meet the DfE guideline of having a five per cent vacancy rate to allow for mobility and fluctuations as well as to support parental preference. Currently the vacancy rate in Brent primary schools is 2.1 per cent. Currently there is no comparative London wide data available.
- 3.1.2. The Strategy identified a total primary requirement for the opening of 23 additional forms of entry by 2018. Members will recall that the strategy set out the list of planned permanent new places in Brent which included Elsley Primary and Uxendon Manor Primary Schools:

Table 1: Planned permanent new places for September 2015

	No. of places	No. of additional FE	Will be total FE
Wembley High Technology College	840	4	4
Uxendon Manor Primary	420	2	4
Elsley Primary *	420	2	4
Stonebridge Primary	210	1	3
Islamia Primary	210	1	2
Malorees Infants and Juniors	210	1	3
Byron Court Primary *	420	2	5
Leopold (Gwenneth Rickus)	420	2	4
Kilburn Grange (Free School)	420	2	2
Oakington Manor Primary*	210	1	4
Total number of places	3,780	18	

*Now scheduled for September 2016

Table 2: Planned permanent new places for September 2016

	No. of Places	No. of additional FE
Oriental City site	420	2
Quintain site	630	3
Carlton Vale Infants and Kilburn Park (South Kilburn regeneration)	210	1
Total number of places	1,260	6

Table 3: Planned permanent new places for September 2017

	No. of Places	No. of FE
Stanley Avenue Alperton site	630	3

- 3.1.3. This shows a programme of expansion right across the borough (see a school map as Appendix 1). Elsley Primary School is situated in Planning Area 3 (Wembley Central ward) this planning area has the second highest projected demand for places of all five planning areas.
- 3.1.4. Planning Area 2, where Uxendon Manor Primary School is placed (Kenton ward), is also experiencing increasing demand. A shortfall of places in this area will arise without the permanent expansion of Uxendon Manor.
- 3.1.5. The number of on-time applications for Reception places received for September 2015 totals 3,925. It is anticipated that there will be approximately 800 late Reception applications received between the closing date in January 2015 and the end of the academic year in July 2016. The number of late applications for reception places has been increasing in recent years, primarily because of high population mobility and inward migration.

The proposal in relation to educational standards (Principle 1)

- 3.1.6. Elsley Primary School was judged 'Good' by Ofsted at the inspection in January 2012. Attainment of Level 4 in reading, writing and mathematics at the end of Key Stage 2 was 72 per cent in 2014 which was below the national average 79 per cent. However the proportion of pupils making the expected two levels of progress in reading and writing by the end of Key Stage 2 was five percentage points above the national average and in mathematics just one percentage point below the national average.
- 3.1.7. Uxendon Manor was judged 'Good' by Ofsted at the inspection in July 2013. Attainment of Level 4 in reading, writing and mathematics at the end of Key Stage 2 was 92 per cent in 2014 which was well above the national average 79 per cent, and the proportion of pupils making the expected two levels of progress in reading and writing by the end of Key Stage 2 was two percentage points above the national average on reading, equal to the national average in writing and 5 percentage points above the national average in mathematics.

Proposals to alter the schools

- 3.1.8. The proposals comply with the Government's guidance on school expansions and their current agenda for raising standards, innovation and transforming education.

The internal accommodation and external play areas in the proposed expansion meet the area and design guidance standards detailed in Building Bulletin 103 (the document which sets out the government's current area guidelines for primary schools).

- 3.1.9. The expansion of the schools 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. Both schools serve a range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them by providing additional parental choice.
- 3.1.10. The expansions at both schools will increase the choice available to local parents and residents in areas 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. The additional places will be provided for current and future need.
- 3.1.11. Additional classrooms and facilities will be provided to support the educational standards for all pupils and staff at both schools. 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 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. at least within 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.
 - Classrooms to support easy access to ICT provision.
- 3.1.12. In line with the criteria for developing school expansion projects approved by Cabinet in January 2015, a strategic view of anticipated future costs of significant items of building condition work was taken at Elsley and Uxendon Manor Primary schools. As a result, the proposed works will include some work to the existing buildings in order to achieve an optimal layout from a school management perspective.
- 3.1.13. Subject to planning application approval and detailed programme review, it is anticipated that the building works at both schools will commence in the Spring/Summer of 2016 and last for approximately one year.
- 3.1.14. 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.

3.2. Background information for Elsley Primary School

- 3.2.1. Elsley Primary School was judged as Good by Ofsted in their inspection in January 2012. It is a very popular school and there are few vacancies in the school overall.
- 3.2.2. Elsley Primary School is located at Tokynton Avenue, Wembley, HA9 6HT. It is a Community school (i.e. maintained by the local authority). It offers co-educational places for pupils aged 4-11 years. The current capacity of Elsley Primary School is 420. The school's admission number is 60 pupils per year (two forms of entry). The expansion plans to increase the school's capacity to 840 places and its admission number to 120 (four forms of entry.) This means an increase of 420 pupils.
- 3.2.3. From September 2015 the school has agreed to take two Reception bulge classes (a) because they have the space required and (b) due to the shortage of Reception places in that part of the borough. If the proposal to expand is agreed these bulge Reception places will become permanent places in September 2016. If not, they will remain as temporary places until the children leave the school after Year 6.

Table 3: Proposed numbers on roll for Elsley Primary School

Date	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Sep-14	60	60	60	60	60	60	60	420
Sep-15	120	60	60	60	60	60	60	480
Sep-16	120	120	60	60	60	60	60	540
Sep-17	120	120	120	60	60	60	60	600
Sep-18	120	120	120	120	60	60	60	660
Sep-19	120	120	120	120	120	60	60	720
Sep-20	120	120	120	120	120	120	60	780
Sep-21	120	120	120	120	120	120	120	840

- 3.2.4. The non statutory informal consultation process commenced on 6 January 2015 and the architects began developing the previously completed feasibility study into a fully designed scheme (alongside the consultation). If expansion is approved new permanent Reception places will be accommodated at the school from September 2016.
- 3.2.5. The proposed accommodation for the expansion by two forms of entry would be of a permanent high quality construction located adjacent to the main school building. It will be built to optimise educational standards. There will be no change to existing SEN arrangements at the school.
- 3.2.6. As part of the permanent expansion proposals, the Council has provided additional land to accommodate the enlarged school. This has served to increase the Elsley total site area to 14,173m².

3.3. Background information for Uxendon Manor School

- 3.3.1. Uxendon Manor Primary School was judged as Good by Ofsted in their inspection in July 2013. It is very popular school and there are few vacancies in the school overall.

- 3.3.2. Uxendon Manor Primary School is located at Vista Way, Kenton, HA3 0UX. It is a Community school and offers co-educational provision for pupils aged 4-11 years. The current capacity of Uxendon Manor Primary School is 420. In addition from September 2014 the school agreed to take an additional Reception temporary (bulge) class of 30 pupils, making a total of 450 pupils aged 4-11 onsite for the 2014/15 academic year. The 30 additional pupils admitted in Reception in 2014 will continue to Year 1 in September 2015.
- 3.3.3. The expansion plans to increase the school's capacity to 840 places and its admission number to 120 (four forms of entry.) This means an overall increase of 390 pupils.

Table 4: Proposed numbers on roll for Uxendon Manor Primary School

Date	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Sep-14	90	60	60	60	60	60	60	450
Sep-15	120	90	60	60	60	60	60	510
Sep-16	120	120	90	60	60	60	60	570
Sep-17	120	120	120	90	60	60	60	630
Sep-18	120	120	120	120	90	60	60	690
Sep-19	120	120	120	120	120	90	60	750
Sep-20	120	120	120	120	120	120	90	810
Sep-21	120	120	120	120	120	120	120	840

- 3.3.4. The non statutory informal consultation process commenced on 24 April 2015 and the architects began developing the previously completed feasibility study into a fully designed scheme (alongside the consultation). If expansion is approved new permanent Reception places will be accommodated at the school from September 2015, subject to planning approval for the works required to expand the school by two forms of entry. If planning isn't approved the additional reception places will provide temporary bulge provision until the children leave the school after Year 6.
- 3.3.5. It is anticipated that there will be a new build accommodation block with at least a 60 year design life. The designs are currently being developed to ensure that the school would be built in the most efficient way, with sustainable standards targeting a BREEAM rating of very good.
- 3.3.6. The council will complete the permanent building works for the 2017/2018 academic year. Should approval to expand the school be granted based on this report, the school will take the first additional permanent Reception classes from September 2015 in temporary accommodation. It is anticipated that a planning application will be submitted later in the year for the new permanent accommodation required. Subject to approval being granted the construction work will commence in Spring 2016 and be phased to account for the school being occupied during construction.

3.4. Statutory Consultation Process – Four Stages

Pre- statutory consultation (informal)

- 3.4.1. Since January 2014 the statutory school expansion process has four stages instead of five - Stage 1 Publication, Stage 2 Representation (formal consultation), Stage 3 Decision, Stage 4 Implementation. The informal consultation carried out

by Brent Council prior to Publication is not legally required but is good practice as quoted by the Department for Education below:

'Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations.'

The informal consultation process

3.4.2. The informal consultation consists of:

- a detailed consultation document outlining the proposal, timelines, background information, next steps, list of consultees, response slip and details of the public meeting. This document is given to every child to give to their parents. In addition copies are hand delivered to homes and businesses in the local vicinity. The document is also posted on the school website and school gates and on the Brent consultation website.
- At least one public meeting is held at the school concerned with representatives from the governing body and the council.
- A 4 week response time (minimum) is given

3.4.3. There are many reasons for an informal consultation before the formal consultation:

- it allows extra time for public to digest what is being proposed
- it gives chance for the public, school and the council to meet as a collective
- it is a chance to eradicate misunderstandings or ambiguity
- it gives a chance to gage the feeling of the public before the statutory consultation
- it gives the council a chance to build up a database of interested people to provide information on the next steps of the project e.g. the publication date of the statutory notice marking the start of the formal consultation.

The formal consultation process

3.4.4. The formal consultation process consists of the issuing of the statutory consultation in the local newspaper. It is also posted on the school website, the Brent consultation website and on all entrances to the school for the passing public to see. This is a second chance for the public to give their views on the proposal. A four week representation period is given for responses.

Elsley Primary School informal consultation

3.4.5. The Governing Body of Elsley Primary School in partnership with the local authority carried out an informal consultation with key interested parties on the alteration proposals. The consultation document is attached as Appendix 2. Over 1,300 copies of the consultation document were distributed through hand delivery, email and/or internal/external post:

- the document was available at the consultation meetings
- the document was placed on the school website and the Brent consultation website
- approximately 400 copies were emailed out, including to all Councillors in Brent, all Brent schools, neighbouring boroughs and other statutory consultees.

- 3.4.6. The informal consultation began on 6 January 2015 and ended on 9 February 2015. All applicable statutory requirements to consult in relation to these proposals have been complied with.
- 3.4.7. A consultation meeting on the proposal to expand Elsley Primary by two forms of entry was held on 14 January 2015. Notes of this meeting can be found at Appendix 3.
- 3.4.8. The Elsley proposal received 25 responses in this first informal consultation. Responses were received via post and email.

Table 5: Breakdown of responses received for Elsley Primary (informal)

	Number of responses received	Percentage of response overall
Agree with expansion	19	76%
Disagree with expansion	05	20%
No decision reached	01	04%
Total responses	25	100%

- 3.4.9. All 25 responses can be found in Appendix 4

Elsley Primary School formal consultation

Stage One - Publication of Statutory Notice

- 3.4.10. Following careful consideration of the responses in the consultation stages outlined above, the governing body of Elsley Primary School in partnership with the local authority published the Statutory Notice in the Brent and Kilburn Times on 18 June 2015 for altering the school by 2FE from September 2016. Notices were also displayed on the school gates, on the school website, on the Brent Council consultation website.
- 3.4.11. The statutory notice is attached as Appendix 5.

Stage Two – Representation (formal consultation)

- 3.4.12. The statutory notices (issued on 18 June 2015) were followed by a four week statutory period (Representation stage), which ended on 16 July 2015, 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 (in this consultation) and ensures that they will be taken into account by the Cabinet when the proposal is determined.
- 3.4.13. In total only one representation was received during statutory period disagreeing with the proposal as outlined in Table 6 below and in full in Appendix 6.
- 3.4.14. In addition a 4 page petition against the proposal with 48 names and signatures were also received (Appendix 7). This petition has been sent to Democratic Services to be dealt with through the official process.

Table 6: Breakdown of responses received for Elsley Primary (formal)

	Number of responses received
Agree with expansion	0
Disagree with expansion	1
Petition against the expansion	48 names / signatures
Total responses	49

3.4.15. The main concerns expressed during both consultation periods (informal and formal) included:

- Disruption to residents
- Construction noise and damage
- Increased traffic
- Parking
- Unruly parents
- Noisy children
- Bright security lights
- Over populated area

3.4.16. Many of the concerns raised above will be dealt within the planning permission consultation.

3.4.17. The council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 from February 2016. Hence, the Cabinet is requested to approve the expansion of Elsley Primary School from September 2016, conditional upon the granting of planning permission and in accordance with Schedule 3 paragraph 3 of the School Organisation Regulations 2013.

Uxendon Manor School informal consultation

3.4.18. Key interested parties were also consulted on the proposed alterations to Uxendon Manor Primary School. The consultation document is attached as Appendix 8. Over 1400 copies of the consultation document were distributed through hand delivery, email and/or internal/external post:

- the schools distributed 550 documents by hand to parents, pupils, staff and other interested parties,
- a private company was commissioned to hand deliver 450 copies to homes in the areas surrounding the school,
- the document was available at the consultation meetings,
- the document was placed on the school website and the Brent consultation website,
- approximately 400 copies were emailed out, including to all Councillors in Brent, all Brent schools, neighbouring boroughs and other statutory consultees

3.4.19. The informal consultation began on 24 April 2015 and ended on 25 May 2015. All applicable statutory requirements to consult in relation to these proposals have been complied with.

3.4.20. A consultation meeting on the proposal to expand Uxendon Manor by two forms of entry was held on 6 May 2015. Notes of this meeting can be found at Appendix 9.

3.4.21. The Uxendon Manor proposal received 35 responses in this first informal consultation. Responses were received via post and email. All 35 responses can be found in Appendix 10.

Table 7: Breakdown of responses received

	Number of responses received	Percentage of response overall
Agree with expansion	15	43%
Disagree with expansion	13	37%
No decision reached	07	20%
Total responses	35	100%

Uxendon Manor Primary School formal consultation

Stage One - Publication of Statutory Notice

3.4.22. Following careful consideration of the responses in the consultation stages outlined above, the Governing Bodies of Uxendon Manor School in partnership with the local authority published the Statutory Notice in the Brent and Kilburn Times on 11 June 2015 for expanding the schools by 2FE from September 2015. Notices were also displayed on the school gates, on the school website, on the Brent Council consultation website and on the Brent and Kilburn Times electronic edition.

3.4.23. The statutory notice is attached as Appendix 11 for Uxendon Manor School.

Stage Two – Representation (formal consultation)

3.4.24. The statutory notice (issued on 11 June 2015) was followed by a four week statutory period (Representation stage), which ended on 9 July 2015, 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 (in this consultation) and ensures that they will be taken into account by the Cabinet when the proposal is determined.

3.4.25. In total 3 representations were received during statutory period as outlined below. A table containing all representations for the proposal to expand the school can also be found in Appendix 12 of this report.

Table 8: Breakdown of responses to the formal consultation – Uxendon Manor

	Number of responses received	Percentage of response overall
Agree with expansion	1	34%
Disagree with expansion	2	66%
Total responses	3	100%

3.4.26. The main concerns expressed during both consultation periods (informal and formal) included:

- Doubling the number of children
- Falling education standards
- Parking
- Traffic congestion
- Narrow roads
- Pollution
- Migration into the local area
- Construction disruption
- Disabled swimming pool required
- Limited playground and playing field facilities
- Health and safety
- Inadequate toilets
- Flooding
- Objections to community hall use
- The expansion is too soon
- Confusion between the education and planning permission consultations
- Some local residents not receiving the consultation document

3.4.27. Many of the concerns raised above will be dealt within the planning permission consultation.

3.4.28. The council is projecting that the planning permission for the new permanent accommodation would be granted under Part 3 of the Town and Country Planning Act 1990 from December 2015. Hence, the Cabinet is requested to approve the expansion of Uxendon Manor School from September 2015, conditional upon the granting of planning permission and in accordance with Schedule 3 paragraph 3 of the School Organisation Regulations 2013.

3.5. Next Steps

3.5.1. The anticipated dates for the key project milestones following a decision by the Cabinet to determine this proposal to alter Elsley Primary and Uxendon Manor Schools respectively are set out in the timetable below:

Table 9: Project milestones

Milestone	Elsley	Uxendon Manor
Cabinet Decision to expand the schools	August 2015	August 2015
Planning Application submitted	November 2015	Sept 2015
Planning Approval anticipated by	February 2016	Dec 2015
Award of contract for building works by the Cabinet	March 2016	Dec 2015
Permanent expansion commences	Sept 2016	Sept 2015
Building work finishes	August 2017	March 2017

4. Financial Implications

- 4.1. As part of consideration of the Update on Schools Capital Portfolio report dated 26 January 2015, Cabinet approved the proposal to expand Elsley Primary School and Uxendon Manor School. This report stated the total estimated cost of the project is provided for within the element of the School Expansion Programme of Works to be met from secured grant funding.
- 4.2. The proposed expansion of pupil numbers at the schools 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 2015 and September 2016 will mean that the schools 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 schools will require funding equivalent to 7/12 of the total additional grant to meet the costs of the expanded pupil numbers until the following year's allocation is received. This shortfall in funding will be provided from existing Dedicated Schools Grant revenue budget as funding has been set aside for additional classes.

5. Legal implications

- 5.1. The procedure for the enlargement of Elsley Primary and Uxendon Manor Schools 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 2013. The local authority is entitled to make prescribed alterations to Elsley Primary and Uxendon Manor Schools pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedules 2 and 3 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 Schedule 3 paragraph 3 of The School Organisation Regulations 2013.
- 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. The local authority 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 Cabinet 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 of the School Organisation Regulations 2013.
- 5.5. The Cabinet would need to have regard to guidance issued by the Secretary of State before making a decision upon this proposal entitled School Organisation Maintained Schools – guidance for proposers and decision makers January 2014 - <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.
- 5.6. If the local authority fails to decide proposals within two 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 two month period.

5.7. Decision Making:

5.8. The department does not prescribe the exact process by which a decision-maker carries out their decision-making function. However, the body or individual that takes the decision must have regard to the statutory 'Decision-makers Guidance' (at Annexe B).

5.9. There are four 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 notices are complete and in line with the statutory requirements. The four week statutory representation period closed on 16 July 2015 for Elsley Primary School and 9 July for Uxendon Manor Primary School.

- 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?

No.

5.10. Types of Decision

5.11. When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain prescribed events¹¹ (such as the granting of planning permission) being met.

5.12. A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the governing body (as appropriate) and the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

5.13. Rights of appeal against a decision

- 5.14. The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:
- the local Church of England diocese;
 - the local Roman Catholic diocese; and
 - the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.
- 5.15. On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for its decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.
- 5.16. Procurement: The construction contract(s) associated with this expansion will be addressed as part of the wider primary school expansion, with preference to undertake the procurement for Elsley Primary School and Uxendon Manor Schools as a separate construction contract. A report approved by Cabinet in September 2014 set out the procurement strategy to be adopted for these projects in accordance with Council Standing Orders. Subsequent Cabinet approval will be sought to award any works contract in accordance with Council Standing Orders.

6. Diversity Implications

- 6.1. Both schools have an ethnically diverse pupil population and catchment of pupils who need places. The expanded 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. Two Equality Assessments have been completed for the proposed expansion of Elsley Primary and Uxendon Manor schools - Appendix 13 and 14

7. 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 Dedicated Schools Grant allocated through the funding formula.

8. Background Papers

- 8.1. School Organisation Maintained Schools - Guidance for proposers and decision-makers - January 2014

9. Appendices

- Appendix 1 Map of Brent Schools
- Appendix 2 Elsley Primary School consultation document
- Appendix 3 Elsley Primary School notes of the consultation meeting
- Appendix 4 Elsley Primary School informal consultation responses
- Appendix 5 Elsley School statutory notice (stage 1 of the statutory process)
- Appendix 6 Elsley Primary School formal representations
- Appendix 7 Petition against the Elsley proposal
- Appendix 8 Uxendon Manor Primary School consultation document
- Appendix 9 Uxendon Manor Primary School notes of the consultation meeting
- Appendix 10 Uxendon Manor Primary School informal consultation responses
- Appendix 11 Uxendon Manor Primary School statutory notice (stage 1 of the statutory process)
- Appendix 12 Uxendon Manor School formal representations
- Appendix 13 Draft of the Equality Impact Assessment for Elsley Primary School
- Appendix 14 Draft of the Equality Impact Assessment for Uxendon Manor Primary School

Contact Officers:

Judith Joseph
School Place Planning Officer
Children and Young People
Judith.Joseph@brent.gov.uk
Tel: 020 8937 1061

Cate Duffy
Interim Operational Director Early Help and Education
Cate.duffy@brent.gov.uk
Tel: 020 8937 3510

GAIL TOLLEY
STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE

Tunde Awofolaju
Capital Projects Manager
Regeneration and Growth
Tunde.awofolaju@brent.gov.uk
Tel: 020 8937 1318

ANDY DONALD
STRATEGIC DIRECTOR OF REGENERATION AND GROWTH