

**Determination of proposal to alter**  
**Park Lane Primary School**

**APPENDICES**

**EXECUTIVE**  
**26 July 2010**

**V2**

## APPENDIX A

### Annex A

#### PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in or provided in relation to proposals

*Insert the information asked for in the expandable box below each section.*

##### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

Not applicable.

##### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school and a contact address for the local education authority who are publishing the proposals.

London Borough of Brent, Asset Management Service, 4th Floor  
Chesterfield House, 9 Park Lane, Wembley, HA9 7RW  
  
DCSF School No. 304/2038 – Park Lane Primary School, Park Lane,  
Wembley, Middlesex, HA9 7RY  
  
Statutory Notice published on 20 May 2010

##### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Brent Council intends to expand Park Lane Primary School from 1st September 2010.

If this proposal is accepted, Park Lane Primary School will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (current Y2 NoR 59 pupils) will progress to Year 6 by September 2013 and the

school will commence operating at full capacity in all the Year Groups.

**Objections and comments**

- 3. A statement explaining the procedure for making representations, including—
  - (a) the date by which objections or comments should be sent to the local education authority; and
  - (b) the address of the authority to which objections or comments should be sent.

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them in writing to Nitin Parshotam, Head of Asset Management Service, Children & Families, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW

**Alteration description**

- 4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Park Lane Primary School currently offers 210 Reception to Year 6 places (250 places including nursery provision). The school is offering mixed sex provision. The number on roll in the school are as follows:

Number on Roll*	N	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Park Lane Primary School	39	60	58	59	30	30	29	29	334

\*Provisional January 2010 Census Data

**Additional Capacity:**

The expanded school will be suitable for all pupils who currently attend Park Lane Primary School. Every pupil registered at the school on 31 August 2010 who but for these proposals would have continued their education at Park Lane Primary School is guaranteed a place at the enlarged Park Lane Primary School. Consequently no pupils will be displaced by the alterations proposed for Park Lane Primary School.

Under this proposal, Park Lane Primary School will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (current Y2 NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.

The expansion of the school will take place in two stages. Phase one of the building works is planned during Summer 2010, which will provide one extra classroom from September 2010. This will enable the progression of the current Year 2 class to Year 3 in September 2010 and the school will be able to admit an additional Reception class for the September 2010 intake on a permanent basis.

Phase two of the building works planned to commence later in 2010/early 2011 will involve remodelling some parts of the existing building e.g. altering the hall to provide for one additional classroom and a Food Science classroom; building a new hall, a further two classrooms, a library resource area, offices and a lift.

In total, five additional classrooms, a hall, necessary support and associated offices are planned to be delivered under Phases one & two of the building works scheduled to complete by end of Summer 2011.

### **School capacity**

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 or paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, the proposals must also include—

- (a) details of the current capacity of the school and where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Park Lane Primary School currently offers 210 Reception to Year 6 places (250 places including nursery provision). The Number on Roll (NoR) is more than its capacity (39 pupils in Nursery and 295 pupils in Reception to Year 6). The school is offering mixed sex provision.

If this proposal is accepted, Park Lane Primary School will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (current Y2 NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

There are currently 295 pupils on roll in Reception to Y6 (January 2010 census) and 39 pupils in Nursery provision.

If this proposal is accepted, Park Lane Primary School will offer 2FE provision from September 2010 through yearly progression.

The expanded school will remain suitable for all pupils who currently attend Park Lane Primary School. Every pupil registered at the school on 31 August 2010 who but for these proposals would have continued their education at Park Lane Primary School is guaranteed a place at the expanded school. No pupil will be displaced by these proposals.

Brent Council remains the admitting authority for the school. Admission arrangements for the expanded school will be the same as for the school.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

If this proposal is accepted, Park Lane Primary School will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (current Y2 NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Not applicable.

- (2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 to 4, and 7 and 8 of Schedule 2 or paragraphs 1, 2, 8, 18 and 19 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 a statement of the number of pupils at the school at the time of the publication of the proposals.

There are currently 295 pupils on roll in Reception to Y6 (January 2010 census) and 39 pupils in Nursery provision. Please refer to Section 5. (1) for fuller details.

## Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not applicable.

Park Lane Primary School has a Community status and is offering non-denominational provision.

## Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

The expansion of Park lane Primary School from a one form entry to a two form entry school is planned to be achieved by combination of remodelling of the existing school building and extending the school by provision of a permanent new build extension at the south west corner of the site adjacent to the nursery building. No temporary rooms are envisaged under this proposal although it may be required for decanting during the remodelling stages.

Additional land is not required for this expansion proposal.

The school site being an inner city location has limited play ground play area, and no playing fields. This is typical of schools of a similar period located in London Boroughs and it was identified in the analysis that any expansion of the school should keep the impact on the existing play ground to a minimum, and therefore to be located on the area of the site between the south boundary and nursery. The school is in the process of forming an agreement with Brent Parks for the school to have access to the former tennis court areas of King Edward VII Park on the west boundary of the site for supervised play and recreation.

All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Park Lane Primary School will be required to achieve a BREEAM rating of excellent requiring energy use of the proposed and existing building to be efficient and sustainable. The existing school building will be part of the BREEAM assessment and recommendations for improving thermal performance through window replacement, lighting, heating and fabric improvements will be considered for implementation within the project

budget and practical solutions for an existing building.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Not applicable.

**Changes in boarding arrangements**

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

(a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

Not applicable. The school does not provide boarding provision.

(b) the arrangements for safeguarding the welfare of children at the school;

Not applicable. The school does not provide boarding provision.

(c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision;

Not applicable. The school does not provide boarding provision.

(d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

Not applicable. The school does not provide boarding provision.

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved;

Not applicable. The school does not provide boarding provision.

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Not applicable. The school does not provide boarding provision.

**Transfer to new site**

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

Not applicable.

- (b) the distance between the proposed and current site;

Not applicable.

- (c) the reason for the choice of proposed site;

Not applicable.

- (d) the accessibility of the proposed site or sites;

Not applicable.

- (e) the proposed arrangements for transport of pupils to the school on its new site;



Not applicable.

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in area will be discouraged.

Not applicable.

## Objectives

10. The objectives of the proposals.

**It is proposed to expand Park Lane Primary School by one form of entry from September 2010; this means that the school will become a two form of entry provision and its admission capacity will increase from 210 to 420 Reception to Year 6 places.**

The growth in the Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on roll are expected to rise strongly over the next three to four years. The Local Authority (LA) has opened two additional classes for reception in September 2009, each offering an additional 30 temporary places. This brings the number of Reception places in Brent schools to 3428. Similarly, demand for secondary places is projected to grow over the next ten years.

The school received 218 on time applications for September 2009 Reception intake. The school admitted an additional form of entry i.e. another class consisting of 30 places for the Reception year in September 2009 on a temporary basis, as has been the case in previous two academic years.

Whilst the school's admission capacity currently stands at 40 nursery places and 210 Reception to Year 6 places, totalling 250 places; the Number on Roll (NoR) is more than its capacity (39 pupils in Nursery and 295 pupils in Reception to Year 6).

Last year the LA consulted with the primary schools in the borough to explore the possibility of increasing the number of school places. It was evident that the demand for Reception places would be more than the number of available places. This assessment was based on the number of on time and ad hoc applications received by LA, forecast of pupil numbers and local factors, such as, feed back from schools.

As a result of the consultation, the Local Authority provided 68 additional places throughout the borough for September 2009 Reception intake. In total, 3428 Reception places have been offered for the current academic

year in Brent.

Whilst Park Lane Primary School has been able to accommodate an additional Reception class since September 2007, the school building requires expansion work to be able to accommodate the progression of the additional Reception classes to further year groups (Year 1 to Year 6). The LA has completed a feasibility study which confirms that an expansion of the school building is possible; the initial of the two phase project is planned to be completed to coincide with the next academic intake in September 2010. Additional land is not required under this expansion proposal.

### Consultation

11. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
  - (b) minutes of all public consultation meetings;
  - (c) the views of the persons consulted;
  - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
  - (e) copies of all consultation documents and a statement on how these documents were made available.

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

From 25 March 2010 to 03 May 2010, the London Borough of Brent consulted formally with key interested parties on the future of Park Lane Primary Schools.

Consultation proposal document was issued by the London Borough of Brent.

### Consultees

The consultation document has been sent to:

Park Lane Primary School (parents, staff, student council and Governors)	Admissions Forum
All maintained schools in Brent	The Welsh School
Westminster Diocesan Education Service	London Diocesan Board for Schools

London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Early Years & Extended School Groups
Trade Unions	
Local Councillors	
Brent Governors Forum	
Brent local MPs	
Local Residents Association	

Copies of all consultation documents and views of persons consulted are attached as an appendix. The Consultation documents were distributed by email or internal/external post to the stakeholder listed above. The school also distributed the consultation documents by hand to parents, pupils, staff and other interested parties.

### Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The capital costs of the expansion project is estimated at approximately £2.2m, which is being funded by the local authority from the Basic Needs Safety Valve funding.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Confirmation from DCSF on allocation of the BNSV funding (Brent Council allocated £14,766,000 ) is available at the following link:

<http://www.teachernet.gov.uk/docbank/index.cfm?id=14690>

Letter dated 30 November 2009 from DCSF: "I am writing to inform you that we are allocating you £14,766,000 of capital grant in response to your application for funding to support the provision of additional permanent primary places by 2011. We have allocated a total of £271 million to 34 authorities. Full details of the allocations are included at the end of this letter."

**Age range**

14. Where the proposals relate to a change in age range, the current age range for the school.

Not Applicable.

**Early years provision**

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Not Applicable. The school is already operating Early Years provision, which will continue to be available.

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

Not Applicable.

- (c) evidence of parental demand for additional provision of early years provision;

Not Applicable.

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school;

Not Applicable.

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Not Applicable. Additional capacity is being created in the school to meet demand for Reception to Year 6 places.

### Changes to sixth form provision

**16.** (1) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (a) improve the educational or training achievements;
- (b) increase participation in education or training; and
- (c) expand the range of educational or training opportunities for 16-19 year olds in the area.

Not Applicable.

(2) Where the proposals are to alter the upper age limit of the school so that the school will provide sixth form education, the proposed number of sixth form places to be provided.

Not Applicable.

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

Not Applicable.

### Special educational needs

**18.** Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

Whilst no changes to the existing SEN provision at the school are being proposed, to ensure this proposal leads to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has conducted the SEN improvement test that has identified benefits, such as, the expanded Park Lane Primary School will include a Group SEN classroom, a disabled toilet, and a lift for improved accessibility.

- (b) any additional specialist features will be provided;

Lift will be provided for improving access.

- (c) the proposed numbers of pupils for which the provision is to be made;

Not applicable

- (d) details of how the provision will be funded;

Not applicable

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

Not applicable.

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Not applicable.

- (g) the location of the provision if it is not to be established on the existing site of the school;

Not applicable.

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children;

Not applicable.

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

Not applicable.

**19.** Where the proposals are to discontinue provision for special educational needs—

(a) details of alternative provision for pupils for whom the provision is currently made;

Not applicable.

(b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

Not applicable.

(c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision;

Not applicable.

(d) a statement as to how the authority believe that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

Not applicable.

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

(a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;

(b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;

(c) improved access to suitable accommodation; and

(d) improved supply of suitable places.

Not applicable.

### Sex of pupils

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex education in the area;

Not Applicable.

- (b) evidence of local demand for single-sex education;

No Applicable.

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

Not Applicable.

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

No Applicable.

- (b) evidence of local demand for single-sex education.

No Applicable.

### Extended services

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.



Early Years & Extended School Groups operating in the school will remain unaffected.

**Need or demand for additional places**

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Brent has significant increase in the rate of growth in demand for reception places and its impact on year-on-year progression to Y1, Y2 and Y3, Y4, Y5 & Y6. The annual growth forecast based on year-on-year progression and other important factors, such as, demand from new house building & regeneration activities, migration of large families into the borough seeking casual admissions for all year groups highlights an acute shortage of primary school places across the borough. Due to the exceptional demand for primary places, Brent Council has been selected for the special basic needs safety valve funding.

This is evidenced by Brent schools struggle to keep up with the number of parents seeking a place for their child in the Reception class last September (2009-10); the Authority is facing a larger challenge for the September 2010 intake; with many pupils remaining without a place at this point of time.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

Not Applicable.

Park Lane Primary School has a Community status and is offering non-denominational provision.

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

Not Applicable.

**25.** If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice;

Not Applicable.

(b) a statement on the local capacity to accommodate displaced pupils.

Not Applicable.

The expanded school will remain suitable for all pupils who currently attend Park Lane Primary School.

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraphs 1 and 2 of Part 1 to Schedule 2 and paragraphs 12 and 13 of Part 2 to Schedule 2; ;

(b) (for proposals published by the LA) paragraphs 1 and 2 of Part 1 to Schedule 4.

of the Prescribed Alteration regulations.

(3) Whilst not required by regulations to provide this information for any LA proposals to expand a voluntary or foundation school, it is desirable to provide this below.

Please refer to Question 10 for the main drivers to expand Park Lane Primary School.

## APPENDIX A



### **Statutory Notice**

#### ***Alterations to Park Lane Primary School***

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that the London Borough of Brent (the Local Authority) intends to make prescribed alterations to Park Lane Primary School, Park Lane, Wembley, Middlesex, HA9 7RY from 1 September 2010.

Park Lane Primary School is maintained by the Local Authority. London Borough of Brent proposes to **increase the number of pupil places at Park Lane Primary School** from its current 210 Reception to Year 6 places (250 places including nursery provision) to 420 Reception to Year 6 places (460 including nursery provision). This means that the school will become a two form of entry primary provision.

Last year the LA consulted with the primary schools in the borough to explore the possibility of increasing the number of school places. It was evident that the demand for Reception places would be more than the number of available places. This assessment was based on the number of on time and ad hoc applications received by LA, forecast of pupil numbers and local factors, such as, feed back from schools.

As a result of the consultation, the Local Authority provided 68 additional places throughout the borough for September 2009 Reception intake. In total, 3428 Reception places have been offered for the current academic year in Brent.

The enlarged Park Lane Primary School will continue to offer mixed provision for pupils in Reception to Year 6 and be maintained by the Local Authority. The Local Authority will remain the admitting authority for the school. Admission arrangements for the enlarged school will remain the same as now.

The expanded school will be suitable for all pupils who currently attend Park Lane Primary School. Every pupil registered at the school on 31 August 2010 who but for these proposals would have continued their education at Park Lane Primary School is guaranteed a place at the enlarged Park Lane Primary School. Consequently no pupils will be displaced by the alterations proposed for Park Lane Primary School.

If this proposal is accepted, Park Lane Primary school will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.

All applicable statutory requirements to consult in relation to these proposals have been complied with.

The expansion of the school will take place in two stages. Phase one of the building works is planned during Summer 2010, which will provide one extra classroom from September 2010. This will enable the progression of the current Year 2 class to Year 3 in September 2010 and the school will be able to admit an additional Reception class for the September 2010 intake on a permanent basis.

Phase two of the building works planned to commence later in 2010/early 2011 will involve remodelling some parts of the existing building e.g. altering the hall to provide for one additional classroom and a Food Science classroom; building a new hall, a further two classrooms, a library resource area, offices and a lift.

In total, five additional classrooms, a hall, necessary support and associated offices are planned to be delivered under Phases one & two of the building works scheduled to complete by end of Summer 2011.

Whilst no changes to the existing SEN provision at the school are being proposed, to ensure this proposal leads to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has conducted the SEN improvement test that has identified benefits, such as, the expanded Park Lane Primary School will include a Group SEN classroom, a disabled toilet, and a lift for improved accessibility.


This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Head of Asset Management Service, Children and Families, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW or by email request at [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)

Any person may object to or make comments on this proposal. All such comments or objections must be:

- a) made in writing;
- b) received by Friday 18 June 2010 (a date at least 4 weeks after the date of publication of this proposal); and
- c) sent to:

Nitin Parshotam, Head of Asset Management Service, Children and Families, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW.

Signed:



Nitin Parshotam,  
Head of Asset Management Service,  
Children and Families

Publication Date: 20 May 2010

### **Explanatory Notes**

The expansion of Park lane Primary School from a one form entry to a two form entry school is planned to be achieved by a combination of remodelling of the existing school building and extending the school by provision of a permanent new build extension at the south west corner of the site adjacent to the nursery building. No temporary rooms are envisaged under this proposal although it may be required for decanting during the remodelling stages.

The school site being an inner city location has limited play ground play area, and no playing fields. This is typical of school of a similar period located in London Boroughs and it was identified in the analysis that any expansion of the school should keep the impact on the existing play ground to a minimum, and therefore to be located on the area of the site between the south boundary and nursery. The school is in the process of forming an agreement with Brent Parks for the school to have access to the former tennis court areas of King Edward VII Park on the west boundary of the site for supervised play and recreation.

All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Park Lane Primary School will be required to achieve a BREEAM rating of excellent requiring energy use of the proposed and existing building to be efficient and sustainable. The existing school building will be part of the BREEAM assessment and recommendations for improving thermal performance through window replacement, lighting, heating and fabric improvements will

be considered for implementation within the project budget and practical solutions for an existing building.

# Expansion of Park Lane Primary School

## Consultation on the Expansion of Park Lane Primary School

Park Lane, Wembley, Middlesex, HA9 7RY

### 1. Introduction

The growth in the Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on roll are expected to rise strongly over the next three to four years. The Local Authority (LA) has opened two additional classes for reception in September 2009, each offering an additional 30 temporary places. This brings the number of Reception places in Brent schools to 3428. Similarly, demand for secondary places is projected to grow over the next ten years.

Park Lane Primary School (DCSF No. 3042038) is a Community school using the admission arrangements set by the LA. It is offering non-denominational mixed gender places for age 3-11 pupils. The school is based in Wembley ward, offering one form of entry provision i.e. 30 places per year group. The school operates a nursery with 40 places.

The school received 218 on time applications for September 2009 Reception intake. The school admitted an additional form of entry i.e. another class consisting of 30 places for the Reception year in September 2009 on a temporary basis, as has been the case in previous two academic years.

Whilst the school's admission capacity currently stands at 40 nursery places and 210 Reception to Year 6 places, totalling 250 places; the Number on Roll (NoR) is more than its capacity (39 pupils in Nursery and 295 pupils in Reception to Year 6). Pupil numbers at roll at the school in the current academic year 2009-10 are given below:

Number on Roll*	N	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Park Lane Primary School	39	60	58	59	30	30	29	29	334

\*Provisional January 2010 Census Data

### 2. The Proposal

**It is proposed to expand Park Lane Primary School by one form of entry from September 2010; this means that the school will become a two form of entry provision and its admission capacity will increase from 210 to 420 Reception to Year 6 places.**

Last year the LA consulted with the primary schools in the borough to explore the possibility of increasing the number of school places. It was evident that the demand for Reception places would be more than the number of available places. This assessment was based on the number of on time and ad hoc applications received by LA, forecast of pupil numbers and local factors, such as, feed back from schools.

As a result of the consultation, the Local Authority provided 68 additional places throughout the borough for September 2009 Reception intake. In total, 3428 Reception places have been

	<p>offered for the current academic year in Brent.</p> <p>Whilst Park Lane Primary School has been able to accommodate an additional Reception class since September 2007, the school building requires expansion work to be able to accommodate the progression of the additional Reception classes to further year groups (Year 1 to Year 6). The LA has completed a feasibility study which confirms that an expansion of the school building is possible; the initial of the two phase project is planned to be completed to coincide with the next academic intake in September 2010. Additional land is not required under this expansion proposal.</p> <p>Phase one of the building works is planned during Summer 2010, which will provide one extra classroom from September 2010. This will enable the progression of the current Year 2 class to Year 3 in September 2010 and the school will be able to admit an additional Reception class for the September 2010 intake on a permanent basis.</p> <p>Phase two of the building works planned to commence later in 2010/early 2011 will involve remodelling some parts of the existing building e.g. altering the hall to provide for one additional classroom and a Food Service classroom; building a new hall, a further two classrooms, a library resource area, offices and a lift.</p> <p>In total, five additional classrooms, a hall, necessary support and associated offices are planned to be delivered under Phases one &amp; two of the building works scheduled to complete by Summer 2011.</p> <p>If this proposal is accepted, Park Lane Primary school will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.</p>
<p><b>3.</b></p>	<p><b>Why propose the expansion of Park Lane Primary School?</b></p> <p>Pressure on places: After adding 68 temporary places in four primary schools for September 2009 Reception intake, as at 21st January 2010 there were only 10 vacancies in Reception classes. New arrivals continue to seek Reception places. Many out borough residents secure places in faith schools in Brent.</p> <p>There is a mismatch between where the vacancies are and where unplaced pupils live. Most parents want a local school for primary aged children, in some cases this year we have had to offer places up to 5 kilometres away from where children live as this was the nearest offer that could be made.</p> <p>Park Lane Primary School's Governing Body and the Head Teacher were consulted and they agreed to accept an addition 30 Reception pupils in September 2009 on a temporary basis. Subject to the outcomes of the feasibility study to expand the school provision and the subsequent school consultation, the school is in favour of expanding the provision from one form of entry (30 places per year group) to a two form of entry (60 places per year group) on a permanent basis. This will help provide school places for the local community in an area of growing demand.</p>
<p><b>4.</b></p>	<p><b>What would happen to the Pupils currently attending the Park Lane Primary School?</b></p>



	<p>The pupils on roll at the Park Lane Primary school would be guaranteed a place at the expanded school so their continued attendance would not be affected. Pupils from the temporary year Reception intake in September 2009 will progress to Year 1. Subject to the expansion of the building, a new batch of pupils will be admitted in the Reception class in September 2010. The admission arrangements will continue to be set by the LA.</p>								
<p><b>5.</b></p>	<p><b>What would happen to the Staff if the Park Lane Primary School?</b></p> <p>This proposal is for expanding the provision to a two form of entry at the school on a permanent basis. It does not affect the school's arrangement with its Staff.</p>								
<p><b>6.</b></p>	<p><b>The Role of the Local Authority</b></p> <p>The Local Authority is putting forward this proposal in consultation with the School's Governing Body. The Governor's are supportive of the LA's plans particularly in its statutory duty to ensure that there are sufficient school places in its area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child's educational potential. It must also ensure that there are sufficient schools in its area and promote diversity and increased parental choice. The LA with this proposal is responding to this statutory duty. It has every reason to believe that offering permanent places at Park Lane Primary School will be popular with parents, will raise standards and will be a major community resource.</p>								
<p><b>7.</b></p>	<p><b>What Happens Next?</b></p> <p>The Local Authority is consulting all interested parties on its proposal including parents and staff at the school, all schools in Brent, Brent Council and neighbouring boroughs.</p> <p>The LA would welcome your views on this proposal and hope that they will support the plans for a permanent expansion of the school. The timetable for the process is planned to be:</p> <table border="0" data-bbox="165 1330 1318 1585"> <tr> <td>Consultation closes on</td> <td>3 May 2010</td> </tr> <tr> <td>LA consider publication of statutory notice by*</td> <td>6 May 2010</td> </tr> <tr> <td>Statutory Notice published by</td> <td>13 May 2010</td> </tr> <tr> <td>Executive makes final decision following Statutory Notice period</td> <td>June/July 2010</td> </tr> </table> <p>*If the LA decides to proceed with the expansion then a statutory notice will be published. There then follows a four week formal consultation period when objections or comments can be made. The outcome is then reported to Brent Executive who will determine the proposal.</p>	Consultation closes on	3 May 2010	LA consider publication of statutory notice by*	6 May 2010	Statutory Notice published by	13 May 2010	Executive makes final decision following Statutory Notice period	June/July 2010
Consultation closes on	3 May 2010								
LA consider publication of statutory notice by*	6 May 2010								
Statutory Notice published by	13 May 2010								
Executive makes final decision following Statutory Notice period	June/July 2010								
<p><b>8.</b></p>	<p><b>Consultees</b></p> <p>This document has been sent to:</p> <table border="1" data-bbox="173 1939 1342 2089"> <tr> <td>Park Lane Primary School (parents, staff, student council and Governors)</td> <td>Admissions Forum</td> </tr> <tr> <td>All maintained schools in Brent</td> <td>The Welsh School</td> </tr> <tr> <td>Westminster Diocesan Education</td> <td>London Diocesan Board for Schools</td> </tr> </table>	Park Lane Primary School (parents, staff, student council and Governors)	Admissions Forum	All maintained schools in Brent	The Welsh School	Westminster Diocesan Education	London Diocesan Board for Schools		
Park Lane Primary School (parents, staff, student council and Governors)	Admissions Forum								
All maintained schools in Brent	The Welsh School								
Westminster Diocesan Education	London Diocesan Board for Schools								

Service	
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Early Years & Extended School Groups
Trade Unions	
Local Councillors	
Brent Governors Forum	
Brent local MPs	
Local Residents Association	

## 9. Community Languages

We are committed to providing translation and interpreting services. If you would like any part of this document translated into your own language please telephone **020 8937 3187**.

یہ معلومات انگریزی کے علاوہ اگر آپ کو کسی دیگر زبان میں درکار ہوں، یا اس معلومات کو سمجھنے کے لیے ترجمان (انٹریٹر) کی خدمات حاصل کرنا چاہیں تو براہ مہربانی ہم سے رابطہ کریں۔

Urdu

Haddii aad u baahantahay macluumaad ku daabacan luqad kale ama cid kuu tarjunta macluumaadka si aad u fahamto macluumaadka halkan ku lifaaqan, fadlan nagala soo xidhiidh.

Somali

إذا رغبت في الحصول على هذه المعلومات مترجمة إلى لغة أخرى أو إن كنت بحاجة لمترجم يقوم بالترجمة لك، لبتسنى لك، بواسطة فهم المعلومات المرفقة فيرجى الاتصال بنا.

Arabic

**Park Lane Primary School Expansion Consultation  
Response Slip**

**I agree / disagree\* with the Local Authority to expand the Park Lane  
Primary School by an additional form of entry.**

*\*Delete as appropriate*

**Please explain your reasons. This is especially important if you are  
against the proposal.**

*(Please use the back of this form if you require more space)*

**Signed .....**

**Parent / member of staff / governor / student of Park Lane Primary  
School / other - please specify on the line below**

.....  
.....

**Thank you very much for taking part in this consultation.**

**Please return and send your completed form by 03 May 2010:** Nitin  
Parshotam, Head of Asset Management Service, London Borough of  
Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex,  
HA9 7RW.

**Or email:** [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)

**London Borough of Brent**  
**Children and Families Department**  
**Park Lane Primary School**  
*Response to the consultation on proposal to expand Park Lane Primary School*

**The Decision options**

Children & Families, Brent Council can decide to:

- End the process at this stage and take no further action on the proposal to expand Park Lane Primary School, or
- Proceed to the next stage of the process. That would involve the publication of Statutory Notices followed by a period of Representation whereby formal objections could be lodged. That process would lead to the matter being considered by the Brent Executive.

**Recommendation**

Officers recommend that Brent Council proceed to publish the requisite statutory notice as soon as practical to expand Park Lane Primary School.

**Context**

1. Brent Council is proposing the expansion of Park Lane Primary School to increase the number of Reception to Year 6 places from 1 form of entry (FE) to 2FE and improve the quality of accommodation through additional specialist provision, such as, building a food & science classroom, library resource, staff PPA room and installation of a lift.
2. Park Lane Primary School (DCSF No. 3042038) is a Community school using the admission arrangements set by the LA. It is offering non-denominational mixed gender places for age 3-11 pupils. The school is based in Wembley ward, offering one form of entry provision i.e. 30 places per year group. The school operates a nursery with 40 places.
3. Whilst the school's admission capacity currently stands at 40 nursery places and 210 Reception to Year 6 places, totaling 250 places; the Number on Roll (NoR) is more than its capacity (39 pupils in Nursery and 295 pupils in Reception to Year 6).
4. The growth in the Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on roll are expected to rise steeply over the next three to four years. The Local Authority (LA) had opened two additional classes for reception in September 2009, each offering an additional 30 temporary places. This brings the number of Reception places in Brent schools to 3428. Similarly, demand for secondary places is projected to grow over the next ten years.

5. This is evidenced by Brent schools struggle to keep up with the number of parents seeking a place for their child in the Reception class last September (2009-10); the Authority is facing a larger challenge for the September 2010 intake; with many pupils remaining without a place at this point of time.
6. The proposal complies with the Government's current agenda for raising standards, innovation and transforming education and in the process meet area and design guidance standards as detailed in BB99, where feasible.
7. The expansion of Park lane Primary School from a one form entry to a two form entry school is planned to be achieved by combination of remodelling of the existing school building and extending the school by provision of a permanent new build extension at the south west corner of the site adjacent to the nursery building. No temporary accommodation is envisaged under this proposal although it may be required for decanting during the remodelling stages.
8. The school site being an inner city location has limited play ground play area, and no playing fields. This is typical of school of a similar period located in London Boroughs and it was identified in the analysis that any expansion of the school should keep the impact on the existing play ground to a minimum, and to be located on the area of the site between the south boundary and nursery, which is away from the main playground. The school is the process of forming an agreement with Brent Parks for the school to have access to the former tennis court areas in King Edward VII Park on the west boundary of the site for supervised play and recreation.
9. All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Park lane school will be required to achieve a BREEAM rating of excellent requiring energy use of the proposed and existing building to be efficient and sustainable. The existing school building will be part of the BREEAM assessment and recommendations for improving thermal performance through window replacement, lighting, heating and fabric improvements will be considered for implementation within the project budget and practical solutions for an existing building.

**Stage 1 - Consultation**

10. Brent Council after obtaining approval from the Chair of the Governing Body and the school's head teacher organised the first, consultative stage of the statutory process required when changing the organisation of schools. The consultation commenced on 25 March 2010 and closed on 03 May 2010. The Council considered responses received by 04 May 2010.
11. Questionnaires were used to capture the views and feedback of the stakeholders. These were distributed to the following parties:

Park Lane Primary School (parents, staff, student council and Governors)	Admissions Forum
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All maintained schools in Brent	The Welsh School
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Early Years & Extended School Groups
Trade Unions	Brent local MPs
Local Councillors	Local Residents Association
Brent Governors Forum	

### Questionnaire Responses

12. In total 671 questionnaires were issued. 160 responses (23.8%) were received by the 04 May 2010. The distribution of response is as follows:

Stakeholders	Total	Options			
		Agree to the Expansion of Park Lane Primary School by 1FE	Disagree to the Expansion of Park Lane Primary School by 1FE	Both options selected	No Option Selected
Staff	11	11			
Parents**	91	88	2	1	
Student Council	12	11			1
Pupils	1	1			
Governors	2	2			
Councillors	1	1			
Brent Unison	1	1			
The London Diocesan Board for Schools	1	1			
Head Teachers – Brent Primary / Secondary Schools	4	4			
Other	36	33	1	2	
<b>Total</b>	<b>160</b>	<b>153</b>	<b>3</b>	<b>3</b>	<b>1</b>

\*\*One response from a Parent was received on 06 May 2010 after the closing date of the Stage 1 Consultation. The parent Agrees with the proposal and the response has been included in the analysis above, with the comment listed in Appendix 1 and marked as \*\*.

13. 153 (95.6%) out of 160 respondents are in favour of expansion of Park Lane Primary School.

14. Only 3 (1.8%) out of 160 respondents are against the expansion of Park Lane Primary School.
15. In total 4 out of the 160 responses selected both options (3 respondents) or did not select any of the two options (1 respondent).
16. Detailed responses are attached as Appendix 1. Brent Council's response to questions raised by respondents is attached in Appendix 2. The questionnaire is attached in Appendix 3 for information.

### **Consultation Meeting with Parents**

17. In addition to ad hoc discussions with parents on the proposal to expand the school, the head teacher of Park Lane Primary School holds regular Parents Meetings. Two such meetings were held at the school to consult with parents and staff on the proposal to expand Park Lane Primary School by one form of entry. The first meeting was held on January 26, 2010 with approximately 20 parents and staff attending and the second meeting took place on May 5, 2010 with attendance of approximately 15 parents and staff. The head teacher has explained in these meetings the reasons for expanding the school e.g. it is a popular school with more applications than the available school places, additional classrooms are required to accommodate the year on year progression of bulge year pupils. The feedback from majority of the parents has been in favour of the Council's proposal to expand the school, which will allow for additional space and facilities.

### **Findings and Conclusions**

18. From the table above it is fair to conclude that majority of respondents under all categories of stakeholders are in favour of Brent's proposal to expand Park Lane Primary School.
19. Issues raised by respondents will be addressed through the briefing process for the building project.

## Appendix 1

### **Comments submitted by respondents through the consultation questionnaire:**

**Member of staff: Agree:** Brent has a great need for primary school places in the borough as children are having to be educated out of it. Teachers will partner the extra year for support in planning & sharing ideas.

**Member of staff: Agree:** Shortage of school places in Brent. Siblings can stay together. Partnership – having more than one year group teachers do not work in isolation but will have another year group teacher to plan / share ideas etc.

**Parent: Both options selected:** I agree, which is good for our borough or community of children to have more opportunity to get places a school. But I also kind like disagree because by having lots of children in school will be very hard for all or most of children to have the attentions from the teacher in the class, as already we see in limited number of staff in the classes and our children are not getting the attention they suppose to get and learn.

**Others: Agree:** Brent doesn't have enough school to allocate kids.

**\*\*Parent: Agree:** I absolutely agree with the proposal of expanding Park Lane Primary School. In fact this should have been done long time before. It is difficult for children to travel far to school, even though not in their catchment area. Having worked in this school, I would be really happy to see it grow and making children's learning fun.

**Parent: Agree:** I agree as well with above I would also appreciate children gets high standard of education where good teachers are required to only expansion of school is important equally the standard of education given to the children. So to me please give priority to the equality to both requirements.

**Parent: Agree:** Since my daughter joined school 1 – ½ year ago, I am satisfied with education and I believe school needs to create more places to accommodate more students to provide better service. I totally agree to expand school

**Parent: Agree:** as we all know school places are so hard to come by. With more and more parents seeking a good for their children. I strongly believe that the expansion will help in helping to school these children.

**Parent: Disagree:** Based upon the principle that the original building will be redeveloped to accommodate the additional pupils, it can only be assumed that to make this feasible would require the reduction in the physical room sizes. This will lead to cramped conditions within these new classes, also greater expansion is required for these pupils within other areas of the school, i.e. dining area, playground, which have not been indicated. If schools such as Wembley Manor are able to have major reconstruction, why not Park Lane. Also when Wembley Manor was redeveloped, a census as to the local population demands for the future should have been adopted so that this school which was result should have been able to accommodate those additional pupils influxing to the area. If expansion of Park Lane school was adopted so that not only the original school is adopted, but if also additional ground was purchased i.e. Kings Edward VII Park land adjacent to the school to allow greater development then this development would seem more feasible.

**Parent: Agree:** It seems as it is a good idea and the need for extra spaces will be fulfilled.



**Parent: Agree:** Seems necessary due to the shortage of primary school places in the borough.

**Staff: Agree:** This will better serve the needs of the community.

**Parent or Carer:** The intention is laudable but the consultation paper fails to provide information how the additional classrooms will be created. Will there be temporary/Portakabin style rooms, or will there be internal changes in the existing building to create the rooms?

The school desperately lacks playing fields despite a park next door. Attention should be paid to addressing this issue. If the new classrooms are going to encroach on the hard surface play yard, which I believe is inadequate even now, this will only exacerbate the problem with the expansion.

The paper does not say whether the funding has been, or will be, earmarked should the project proceed? This is not just the capital cost of the new build but also the additional running costs to pay the extra teaching staff?

The existing energy display certificate rated the school at G, the lowest level. Surely there is (huge?) scope to reduce the energy costs and hence the running costs.

Until these issues are addressed properly, I cannot agree with the proposed expansion because it will not deliver value for money.

**Governor: Agree:** pressure on places – not enough reception places in Wembley. Not enough parental choice due to Park Lane being 1 Form Entry. If parents choose park Lane they can't always have it due to lack of places.

**Brent Councillor:** Borough needs additional places. This form Entry enables more resources.

**Headteacher : Agree:** There is a need to expand the number of places at primary level to ensure that all local children have a school place.

\*\*One response from a Parent was received on 06 May 2010 after the closing date of the Stage 1 Consultation. The parent Agrees with the proposal and the response has been included in the analysis above, with the comment listed in Appendix 1 and marked as \*\*.

## Appendix 2

**From:** Sinha, Rajesh  
**Sent:** 20 April 2010 14:09  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Park Lane Proposed extension

Dear Mr [REDACTED],

Thank you for your response to the consultation. Your questions have been answered below:

The intention is laudable but the consultation paper fails to provide information how the additional classrooms will be created. Will there be temporary/Portakabin style rooms, or will there be internal changes in the existing building to create the rooms?

At the outset of the proposal an analysis of the existing accommodation and site to the guidelines for new school accommodation to enable expansion to a 2FE school was carried out. Through this exercise it was established that there would be a short fall of general teaching classrooms, specialist classroom, and small group rooms / interview room. It was also established that accommodation within the school would require expansion to facilitate the expansion to a two form entry school e.g. classroom, staff and administration accommodation and lift for disabled access.

The expansion of Park lane Primary School from a one form entry to a two form entry school is planned to be achieved by combination of remodelling of the existing school building and extending the school by provision of a permanent new build extension at the south west corner of the site adjacent to the nursery building. No temporary rooms are envisaged under this proposal although it may be required for decanting during the remodelling stages.

The school desperately lacks playing fields despite a park next door. Attention should be paid to addressing this issue. If the new classrooms are going to encroach on the hard surface play yard, which I believe is inadequate even now, this will only exacerbate the problem with the expansion.

The school site being an inner city location has limited play ground play area, and no playing fields. This is typical of school of a similar period located in London Boroughs and it was identified in the analysis that any expansion of the school should keep the impact on the existing play ground to a minimum, and to be located on the area of the site between the south boundary and nursery, which is away from the main playground. The school is the process of forming an agreement with Brent Parks for the school to have access to the former tennis court areas on the west boundary of the site for supervised play and recreation.

The paper does not say whether the funding has been, or will be, earmarked should the project proceed? This is not just the capital cost of the new build but also the additional running costs to pay the extra teaching staff?

The proposal is being supported with adequate funding for completing the building and associated works for achieving a 2FE provision. The revenue costs is based on formulaic allocation from DCSF. This would take into

account the additional running costs incurred from expanding the number of classes in each year group.

The existing energy display certificate rated the school at G, the lowest level. Surely there is (huge?) scope to reduce the energy costs and hence the running costs.

All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Park lane school will be required to achieve a BREEAM rating of excellent requiring energy use of the proposed and existing building to be efficient and sustainable. The existing school building will be part of the BREEAM assessment and recommendations for improving thermal performance through window replacement, lighting, heating and fabric improvements will be considered for implementation within the project budget and practical solutions for an existing building.

Kind regards.

Rajesh Sinha  
Interim Principal School Organisation Officer

-----

From: Sinha, Rajesh  
Sent: 19 April 2010 12:55  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED]

Dear Ms. [REDACTED],

Thank you for your email. I am pleased to attach the admission criteria for September 2010-11 as per your request.

Kindly let me know if you need further information.

Best regards.

Rajesh Sinha  
Interim Principal School Organisation Officer

### Appendix 3

<p><b>Park Lane Primary School Expansion Consultation Response Slip</b></p> <p><b>I agree / disagree* with the Local Authority to expand the Park Lane Primary School by an additional form of entry.</b> <i>*Delete as appropriate</i></p> <p><b>Please explain your reasons. This is especially important if you are</b></p>
--

**against the proposal.**

*Please use the back of this form if you require more space)*

**Signed .....**

**Parent / member of staff / governor / student of Park Lane Primary School / other - *please specify on the line below***

.....  
.....

**Thank you very much for taking part in this consultation.**

**Please return and send your completed form by 03 May 2010:** Nitin Parshotam, Head of Asset Management Service, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW.

**Or email:** [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)



## **Statutory Notice**

### ***Alterations to Park Lane Primary School***

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that the London Borough of Brent (the Local Authority) intends to make prescribed alterations to Park Lane Primary School, Park Lane, Wembley, Middlesex, HA9 7RY from 1 September 2010.

Park Lane Primary School is maintained by the Local Authority. London Borough of Brent proposes to **increase the number of pupil places at Park Lane Primary School** from its current 210 Reception to Year 6 places (250 places including nursery provision) to 420 Reception to Year 6 places (460 including nursery provision). This means that the school will become a two form of entry primary provision.

Last year the LA consulted with the primary schools in the borough to explore the possibility of increasing the number of school places. It was evident that the demand for Reception places would be more than the number of available places. This assessment was based on the number of on time and ad hoc applications received by LA, forecast of pupil numbers and local factors, such as, feed back from schools.

As a result of the consultation, the Local Authority provided 68 additional places throughout the borough for September 2009 Reception intake. In total, 3428 Reception places have been offered for the current academic year in Brent.

The enlarged Park Lane Primary School will continue to offer mixed provision for pupils in Reception to Year 6 and be maintained by the Local Authority. The Local Authority will remain the admitting authority for the school. Admission arrangements for the enlarged school will remain the same as now.

The expanded school will be suitable for all pupils who currently attend Park Lane Primary School. Every pupil registered at the school on 31 August 2010 who but for these proposals would have continued their education at Park Lane Primary School is guaranteed a place at the enlarged Park Lane Primary School. Consequently no pupils will be displaced by the alterations proposed for Park Lane Primary School.

If this proposal is accepted, Park Lane Primary school will offer 2FE provision from September 2010 through yearly progression. This means that the school will continue admitting 2FE (60 pupils) in the Reception year from September 2010 and the current Y2 class of 60 places (NoR 59 pupils) will progress to Year 6 by September 2013 and the school will commence operating at full capacity in all the Year Groups.

All applicable statutory requirements to consult in relation to these proposals have been complied with.

The expansion of the school will take place in two stages. Phase one of the building works is planned during Summer 2010, which will provide one extra classroom from September 2010. This will enable the progression of the current Year 2 class to Year 3 in September 2010 and the school will be able to admit an additional Reception class for the September 2010 intake on a permanent basis.

Phase two of the building works planned to commence later in 2010/early 2011 will involve remodelling some parts of the existing building e.g. altering the hall to provide for one additional classroom and a Food Science classroom; building a new hall, a further two classrooms, a library resource area, offices and a lift.

In total, five additional classrooms, a hall, necessary support and associated offices are planned to be delivered under Phases one & two of the building works scheduled to complete by end of Summer 2011.

Whilst no changes to the existing SEN provision at the school are being proposed, to ensure this proposal leads to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has conducted the SEN improvement test that has identified benefits, such as, the expanded Park Lane Primary School will include a Group SEN classroom, a disabled toilet, and a lift for improved accessibility.

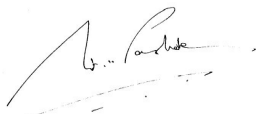
This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Head of Asset Management Service, Children and Families, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW or by email request at [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)

Any person may object to or make comments on this proposal. All such comments or objections must be:

- d) made in writing;
- e) received by Friday 18 June 2010 (a date at least 4 weeks after the date of publication of this proposal); and
- f) sent to:

Nitin Parshotam, Head of Asset Management Service, Children and Families, London Borough of Brent, 4th Floor Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW.

Signed:



Nitin Parshotam,  
Head of Asset Management Service,  
Children and Families

Publication Date: 20 May 2010

## **Explanatory Notes**

The expansion of Park lane Primary School from a one form entry to a two form entry school is planned to be achieved by a combination of remodelling of the existing school building and extending the school by provision of a permanent new build extension at the south west corner of the site adjacent to the nursery building. No temporary rooms are envisaged under this proposal although it may be required for decanting during the remodelling stages.

The school site being an inner city location has limited play ground play area, and no playing fields. This is typical of school of a similar period located in London Boroughs and it was identified in the analysis that any expansion of the school should keep the impact on the existing play ground to a minimum, and therefore to be located on the area of the site between the south boundary and nursery. The school is in the process of forming an agreement with Brent Parks for the school to have access to the former tennis court areas of King Edward VII Park on the west boundary of the site for supervised play and recreation.

All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Park Lane Primary School will be required to achieve a BREEAM rating of excellent requiring energy use of the proposed and existing building to be efficient and sustainable. The existing school building will be part of the BREEAM assessment and recommendations for improving thermal performance through window replacement, lighting, heating and fabric improvements will be considered for implementation within the project budget and practical solutions for an existing building.

## Appendix B

### Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form – EXCERPT FROM A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

#### Statutory Guidance – Factors to be Considered by Decision Makers (Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

#### EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

##### A System Shaped by Parents (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and

the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.



### **Standards** (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

### **Diversity** (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

### **Every Child Matters** (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

## SCHOOL CHARACTERISTICS

### Boarding Provision (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

## **Equal Opportunity Issues** (Paragraphs 4.27)

4.27 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

## **NEED FOR PLACES**

### **Creating Additional Places** (Paragraphs 4.28-4.30)

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

### **Expansion of Successful and Popular Schools** (Paragraph 4.31-4.34)

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;
  - i. in terms of absolute results in key stage assessments and public examinations;

- ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
  - iii. in terms of value added;
  - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
- i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

#### **Travel and Accessibility for All** (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes

e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications). Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

### **16-19 Provision** (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

## **Addition of post-16 provision by “high performing” schools** (Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances\* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

*\* Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.*

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for ‘high performing’ and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

a. two years from the date a school commences operation with applied learning specialist school status; or

b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DCSF criteria for 'high performing' status as set out at

<http://www.standards.dcsf.gov.uk/specialistschools/guidance2007/?version=1>

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

a. evidence of local collaboration in drawing up the presumption proposal; and

b. a statement of how the new places will fit within the 14-19 organisation in an area; and

c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.

4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to

meet this condition, where the “presumption” school can show that there is reasonable demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

#### **Conflicting Sixth Form Reorganisation Proposals** (Paragraph 4.52)

4.52 Where the implementation of reorganisation proposals by the LSC<sup>1</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

#### **16-19 Provision ‘Competitions’** (Paragraphs 4.53-4.56)

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC’s current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from 2010.<sup>2</sup>

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

- a. the competition selection process;

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<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

<sup>2</sup> The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.



b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

## **FUNDING AND LAND**

### **Capital** (Paragraphs 4.57-4.59)

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

### **Capital Receipts** (Paragraphs 4.60-4.62)

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

a. Community Schools – the Secretary of State's consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the

case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998). (Details are given in DCSF Guidance 1017-2004 “The Protection of School Playing Fields and Land for Academies” published in November 2004) -

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&>).

b. Foundation (including Trust) and Voluntary Schools:

- i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
- ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator” - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&> ).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

**New Site or Playing Fields** (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

#### **Land Tenure Arrangements** (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

#### **School Playing Fields** (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

## **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

### **Initial Considerations** (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing

arrangements and enable all children to achieve the five Every Child Matters outcomes.

### **The Special Educational Needs Improvement Test (Paragraph 4.68)**

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

### **Key Factors (Paragraphs 4.69-4.72)**

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and
  - iv. improved supply of suitable places.
- b. LAs **should** also:
  - i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;

- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

## **OTHER ISSUES**

### **Views of Interested Parties** (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory

objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

### **Types of Decision** (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, 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 (see paragraph 4.75 below).

### **Conditional Approval** (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;
- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be

conditional on the decision of adjudicators to approve any related change in admission numbers);

h. the making of any scheme relating to any charity connected with the school;

i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;

j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;

k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;

ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;

l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and

m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007<sup>3</sup> the occurrence of such an event.

4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have

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<sup>3</sup> S.I. 2007/1288.



been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to [school.organisation@dcf.gsi.gov.uk](mailto:school.organisation@dcf.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department's records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

#### **Decisions** (Paragraphs 4.77-4.79)

4.77 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.

4.78 A copy of all decisions **must** be forwarded to:

the LA or governing body who published the proposals;

the trustees of the school (if any);

the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcf.gsi.gov.uk](mailto:school.organisation@dcf.gsi.gov.uk));

where the school includes provision for 14-16 education or sixth form education, the LSC;

the local CofE diocese;

the bishop of the RC diocese;

each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and

where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

**Can proposals be withdrawn?** (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcsf.gsi.gov.uk](mailto:school.organisation@dcsf.gsi.gov.uk). Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.