

## Executive 23 April 2012

# Report from the Directors of Children and Families and Regeneration and Major Projects

Wards Affected: ALL

## Determination proposal to permanently expand primary schools in Brent

#### 1.0 **Summary**

- 1.1 This report informs the Executive of the outcome of the statutory proposals to alter the following schools through permanent expansion from January 2013:
  - Barham Primary School (Community) by one form of entry
  - Fryent Primary School (Community) by two forms of entry
  - Mitchell Brook Primary School (Community) by one form of entry
- 1.2 The Representation period on the proposals ended on 21 March 2012.
- 1.3 Brent Council in agreement with the Governing Body of Barham Primary School has proposed to alter the school by adding one form of entry. The current capacity of the school is 630 and the proposed capacity will be 840. The current admission number for the school is 90 and the proposed admission number will be 120.
- 1.4 Brent Council in agreement with the Governing Body of Fryent Primary School has proposed to alter the school by adding two forms of entry. The current capacity of the school is 420 and the proposed capacity will be 840. The current admission number for the school is 60 and the proposed admission number will be 120.
- 1.5 The Governing Body of Mitchell Brook Primary School has proposed to alter the school by adding one form of entry. The current capacity of the school is 420 and the proposed capacity will be 630. The current admission number for the school is 60 and the proposed admission number will be 90.
- 1.6 This report seeks Executive approval to permanently expand Barham, Fryent and Mitchell Brook primary schools conditional upon planning permission being granted.
- Upon implementation of the proposal, Barham Primary School and Mitchell BrookPrimary School would provide 30 new permanent Reception places, respectively, fromJanuary 2013, subject to planning permission due to the building constraints. The
  - 23 April 2012 meeting

expansion will provide an additional class in each year group (210 new primary places in total per school) with an increase of 30 places in each year group starting at Reception age in January 2013 and rising to Year 6 by September 2018.

- 1.8 Upon implementation of the proposal, Fryent Primary School would provide 60 new permanent Reception places from 7 January 2013, subject to planning permission, due to the building constraints. The expansion will provide an additional two classes in each year group (420 new primary places in total) but the increase of 60 places in each year group is intended to start at Reception age in January 2013 and rise to Year 6 by September 2018.
- 1.9 This report also provides an update on the procurement routes available to the Council for the appointment of the main contractor for the three school expansion schemes and requests delegated authority to award the works contract.
- 1.10 Finally, the report recommends expansion of St. Robert Southwell Primary School by 105 places in total across Reception to Year 6 from September 2013, subject to completion of due diligence by the Council.
- 1.11 From September 2013 Barham, Mitchell Brook and Fryent schools will provide a total of 840 new school places from Reception to Year 6. It is anticipated that 240 of these places will be taken up by Reception and Year 1 pupils from September 2013.

#### 2.0 Recommendations

The Executive are requested to:

- 2.1 Approve the permanent expansion of Barham Primary School (Community) by one form of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- 2.2 Approve the permanent expansion of Fryent Primary School (Community) by two forms of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- 2.3 Approve the permanent expansion of Mitchell Brook Primary School (Community) by one form of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- Agree that the main reason for approving the alteration of Barham, Fryent and Mitchell Brook primary schools is to provide permanent primary places in areas of the borough which have severe shortages of Reception and Year 1 school places.
- 2.5 To delegate authority to the Director of Regeneration and Major Projects to appoint one or more main works contractors using existing construction frameworks up to combined total value of £14m, for the expansion of the above schemes referred to in section 5.0.
- Agree the allocation of £1.5m from the Council's Main Capital Programme for providing additional primary school places at St. Robert Southwell Primary (Voluntary Aided) School from September 2013 by 105 places (15 places per year group), subject to due diligence to be completed by the Council and a subsequent agreement with the school and the Diocese of Westminster, as referred under section 4.0.

#### 3.0 Detail

#### 3.1 Background

- 3.1.1 Brent Council has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area.
- 3.1.2 According to the GLA projection of school rolls (based on the January 2011 pupil census data), the number of four year olds on roll is expected to rise to 4039 by January 2017 from the current number of 3639 on roll (provisional January 2012 pupil census data). This is an increase of 400 pupils (11%) within a space of 5 years. This translates into a shortfall in the capacity by 369 reception places (12.3 classes) by September 2016 even with the expansions proposals outlined in this report. As at 1 March 2012 there were 214 children of Reception aged living in the borough without a school place. The impact of rising birth rate may further impact on the demand for reception places.
- 3.1.3 In the last three academic years, the GLA accuracy rate for the projection of primary school rolls has been falling and has not addressed the real rise in demand for primary school places. This is generally the case across London authorities, which are being caught by extremely high number of applications for Reception and Year 1 places.
- 3.1.4 On time Reception applications received for the 2012/13 academic year totalled 3743, a 3.5% increase on the on time applications for the current 2011/12 academic year (3617). 3330 on time applications were received for the 2010/11 academic year. On average approximately 10 late applications are received between the closing date in January and the start of term in September each year.
- 3.1.5 The demand for school places is mainly driven by:
  - Housing growth;
  - Increased density of use of existing housing stock;
  - Increased popularity of Brent schools (mainly due to the increasing quality of Brent's educational offer):
  - Inward economic and other migration:
  - Decreasing availability of places in neighbouring boroughs;
  - Increased live births and fertility rates
- 3.1.6 As at 1 March 2012, 674 children of primary age remain without a school place across all year groups for the 2011/12 academic year (214 Reception and 95 Year 1).
- 3.1.7 The number of unplaced children and vacancies in the system are constantly fluctuating but overall demand is exceeding supply in the lower year groups (Reception to Year 2), which is correlated to the pattern of rising demand in the borough, and indeed across London, over the last four years.
- 3.1.8 Brent Council was allocated £14.766m in November 2009 from the previous DfE under the additional round of Basic Need Safety Valve funding (BNSV). The funding was an emergency allocation to provide sufficient reception places by September 2011.
- 3.1.9 Subsequently, the Council created 1120 additional primary places by expanding Brentfield Primary School (1FE), Newfield Primary School (1FE), Park Lane Primary School (1FE) and Byron Court Primary School (10 additional places in each year group) on a permanent basis and changed the character of Preston Manor High School to an all through school by creating a permanent two forms of entry primary provision.

- 3.1.10 In making decisions about the delivery of additional school places, the Council has established a set of planning principles. In June 2011, the Council consulted with the schools on these planning principles for which the closing date was 1 July 2011. Subsequently, a short list of schools based on the local area of demand was derived from the long list of schools based on the following criteria:
  - shortage of school places in a local area;
  - physical expansion of a school on a permanent basis deemed to be feasible:
  - risk associated with the expansion of the specific schools including likelihood of planning consent;
  - availability of funding to expand the school.
- 3.1.11 In August 2011 the Executive agreed feasibility studies for four new permanent expansion schemes, with a view of expanding these schools. Three (Barham, Fryent & Mitchell Brook Primary Schools) out of the four schools (including Furness Primary School) agreed to carry out a statutory consultation, which commenced on 17 January 2011. Although Furness Primary School has agreed the principle of expansion, the governing body did not agree to consult on an expansion until the appointment of a permanent head teacher. Therefore, the merits of an expansion will be considered against other schemes as part of the rolling programme of future expansions.
- 3.1.12 A feasibility study at the schools was completed towards the end of 2011. Discussions took place with the three schools which were suitable and willing for expansion.
- 3.1.13 A traditional expansion programme is generally delivered over a period of two to three years. An extended programme would not have met the need, since the projects would have been delivered at the earliest by September 2014.
- 3.1.14 In order to meet the shortage of primary places, the schools expansions are being designed using a mixture of traditional and innovative off-site modular solutions with at least a 60 year design life. The designs are currently being developed to ensure that the schools would be built in the most efficient way, with sustainable standards, such as, BREEAM Very Good (as a minimum on all 3 schools) and with natural ventilation, where possible.
- 3.1.15 This means that the Council will be able to complete the permanent building works for all three schools in time for the September 2013 academic year. Through an innovative build programme the Council is not only likely to create Reception classrooms by January 2013, it is also currently investigating temporary options for all three schools to admit Reception aged children from September 2012 in order to provide continuity to the permanent intake from January 2013.
- 3.1.16 The short list of schools presented in August 2011 also included St. Robert Southwell Primary School. It was included due to an increasing demand for places for Catholic children, particularly in this area of Brent. It is a popular and oversubscribed school; an expansion would likely be supported by the Westminster Diocese. Since the school has obtained planning permission and new places could be created by September 2013, it is considered a viable and value for money scheme, subject to due diligence by the Council.
- 3.1.17 In October 2011, the Department for Education (DfE) allocated Brent Council a one off allocation of £24.815m in recognition of the urgent need for school places, plus a Basic Need Allocation for 2012/13 of £24.092m. There is also funding available from section 106 contributions.

- 3.1.18 The August 2011 Executive report has already allocated a total of £15.507m (subject to Executive and Full Council approval) in the capital programme for the Provision of School Expansions in 2012/13 to meet the costs of the next phase of expansion schemes. This includes a sum of £2.440m for temporary expansions.
- 3.1.19 Despite the levels of funding available, there is still a considerable mismatch between these sums and the funding required to deliver the additional school places. The Council is actively engaged in lobbying the government for additional resources. There are additional resources available to new free schools and academies over and above the resources given to Councils.

#### 3.2 Proposals to alter the three primary schools

- 3.2.1 In accordance with paragraph 4.75 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form (Excerpt attached in Appendix A), the Decision Maker can decide to approve the proposals subject to meeting a specific condition. The Decision Maker must set a date by which the condition should be met but will be able to modify the date if the proposers confirm, before the date expires, that the condition will be met later than originally thought.
- 3.2.2 The proposals comply 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 Building Bulletin 99, where feasible.
- 3.2.3 The expansion of Barham, Fryent and Mitchell Brook primary schools are fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The schools serve a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.
- 3.2.4 The expansion of Barham, Fryent and Mitchell Brook primary schools will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.
- 3.2.5 All three are popular and high performing primary schools. The local authority is confident that sufficient number of applications will be received for the permanent primary provision.
- 3.2.6 The travel arrangements for existing pupils are not changed for pupils at the three schools. However, with the expansion of provision will enable more Brent pupils to be educated in general nearer to where they live. A full traffic assessment is being carried out, which will inform the school travel plan.
- 3.2.7 It is anticipated that the building works will enable an enhanced level of the delivery of the curriculum, through the provision of the additional classrooms and facilities outlined below which are essential in supporting the educational standards for its pupils and staff. In effect it would lead to:
  - Provision of a safe and secure environment
  - Create a healthy environment properly ventilated, good sized classrooms with easy access to outside space.
  - Modelling of proposed spaces to maximise natural daylighting and control sunlight, to maximise thermal comfort, control glare and provide a suitable internal environment.

- Environmentally friendly and efficient
- Provision of minimal loss of 'down-time' i.e travel to core facilities, toilets, etc.
- Allow a variety of learning experiences individual, group, class, year group, quiet spaces internal and external
- Provision of playing space
- Enhancing the opportunity for the community to become involved in the school and support the children's learning
- Classrooms to support easy access to ICT provision.
- 3.2.8 Area analysis of the sites has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for, Building Research Establishment Environmental Assessment Method (BREEAM) accreditation.
- 3.2.9 Subject to planning application approval, the building works for all three schools are planned to commence in autumn 2012 which will involve new build works in compliance with Department for Education's design guidelines.
- 3.2.10 No change to the existing SEN provision is being proposed for any of the three schools. The proposals will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposals will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

#### 3.3 Barham Primary School

- 3.3.1 Barham Primary School is located at Danethorpe Road, Wembley, HA0 4RQ. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.3.2 The Local Authority in agreement with the governing body published a proposal to expand Barham Primary School by one form of entry from January 2013.
- 3.3.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Barham Primary School will offer 4FE provision from 7 January 2013. Its admission capacity will increase from 630 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.3.4 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality modular and/or non-modular construction situated adjacent to the existing school building. The new building will be integrated with the existing school building. Subject to further design, it may include demolition of the unused nursery building situated at top right side of the school. It is proposed that the expansion will comprise of new classrooms and expansion of the existing hall used for dining. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school. As a result of the build, the play space will be reconfigured on the site to ensure that there will be compliance with Guidelines.

The new Reception class is expected to be available from January 2013. Remaining building works are expected to be completed by April 2013, thereby providing the full capacity of 210 new school places required under the statutory proposal.

#### 3.4 Fryent Primary School

- 3.4.1 Fryent Primary School is located at Church Lane, Kingsbury, London, NW9 8JD. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.4.2 The Local Authority in agreement with the governing body published a proposal to expand Fryent Primary School by two forms of entry from January 2013.
- 3.4.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Fryent Primary School will offer 4FE provision from 7 January 2013. Its admission capacity will increase from 420 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.4.4 The proposed accommodation for the expansion by two forms of entry would be of a permanent high quality modular and/or non-modular construction on the south side of the existing main school buildings. Subject to further design, it will include demolition of the existing dining block, mobile block and Horsa hut units. The mobile block and Horsa hut will be replaced by new classrooms; a new hall and kitchen is proposed to be constructed to the southeast side of the existing building in place of the existing hard play area and school toilets. New toilets will be provided in compliance with statutory requirements. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school. As a result of the build, the play space will be reconfigured on the site to ensure that there will be compliance with Guidelines.
- 3.4.5 The two new Reception classes are expected to be available from January 2013. Remaining building works at the school are expected to be completed by April 2013, thereby providing the full capacity of 420 new school places required under the statutory proposal.

#### 3.5 Mitchell Brook Primary School

- 3.5.1 Mitchell Brook Primary School is located at Bridge Road, London, NW10 9BX. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.5.2 The Governing Body in agreement with the Local Authority the published a proposal to expand Mitchell Brook Primary School by one form of entry from January 2013.
- 3.5.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Mitchell Brook Primary School will offer 3FE provision from 7 January 2013. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.5.4 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality modular and/or non-modular construction situated at the front of the existing school building. It would include demolition of the unused caretaker's house situated on the far left side of the front entrance. Subject to further design work, the expansion would comprise of new classrooms and a hall with kitchen. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school.
- 3.5.5 The Council has completed a consultation on the future of day care provision in Children's Centres located in the borough. On 13 February 2012, Brent Executive decided that the building used for nursery services at Harmony Children's Centre be 23 April 2012 meeting

used to facilitate expansion of Mitchell Brook School in the event that a decision is made to expand the school. Subject to further detailed design, it may be possible to utilise part of the Harmony Children's Centre (nursery area) and re-alignment of the boundary with the adjoining park/playground in order to provide more space at Mitchell Brook Primary School.

3.5.6 The new Reception class is expected to be available from January 2013. Remaining building works at the school are expected to be completed by April 2013, thereby providing the full capacity of 210 new school places required under the statutory proposal.

#### 3.6 Statutory Process

#### Stage One Consultation

#### 3.6.1 Barham Primary School

The Local Authority with the support of the Governing Body of Barham Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 1. Over 1100 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.

- 3.6.2 Consultation meetings with staff, parents and the community were held at the school on 17 and 23 January and 7 February 2012, details of which can be found in Appendix 2 as attachments.
- 3.6.3 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 840 Reception to Year 6 places, completed on 15 February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.
- 3.6.4 The Barham proposal received 25 on time responses to the consultation. 16 (64%) consultees support the proposal, 5 (20%) consultees expressed concerns, whilst 4 (16%) remained undecided.
- 3.6.5 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 3) and full proposal (Appendix 2).

#### 3.6.6 Fryent Primary School

The Local Authority with the support of the Governing Body of Fryent Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 4. Over 1000 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.

- 3.6.7 Consultation meetings with staff, parents and the community were held at the school on 30 and 31 January 2012, details of which can be found in Appendix 5 as attachments.
- 3.6.8 The statutory consultative stage of the proposal to expand by two forms of entry thereby increasing the provision to 840 Reception to Year 6 places completed on 15 23 April 2012 meeting

February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.6.9 The proposal received 41 on time responses to the consultation [plus 7 late responses]. 9 (22%) consultees support the proposal and 27 (66%) consultees expressed concerns, whilst 5 (12%) remained undecided. [The 7 late responses were all in support of the expansion.]
- 3.6.10 The relatively high number of adverse responses to the Fryent consultation came mainly from parents and supporters of St Robert Southwell Roman Catholic Primary School. Many felt that their school should have been included in the current phase of expansion due to the lack of Roman Catholic places in the area.
- 3.6.11 However, the objections by St. Robert Southwell Primary School were submitted without the knowledge that the Council was contemplating bringing forward the proposal for expansion of this voluntary aided school. The objections were also based on a misassumption that Phase 1 primary expansion schemes, including Fryent Primary School had been selected subsequent to the allocation of the £24.8m government grant to Brent Council in October 2011. It was clarified to the head teacher of St. Robert Southwell Primary that the Phase 1 schemes had in fact been approved for review by the Executive in August 2011 i.e. prior to the receipt of grant funding.
- 3.6.12 A petition from St Robert Southwell School Governing Body was submitted to Democratic Services during the consultation period, which stated that a block of flats opposite the school did not receive a hand delivered consultation document about the expansion of Fryent Primary School. In response: (a) door to door delivery is not a statutory requirement but nonetheless around 300 copies were delivered; (b) in this instance delivery could not be made as the block of flats had a telephone entry system, so entry was not possible; (c) the block of flats lies directly opposite the school which had the consultation document attached to the gates –A3 size; (d) every child that attends Fryent Primary School was given a copy to take home so it is possible that some of the residents received the document that way; (e) the fact the residents signed the petition suggests they were made aware of the consultation before signing; (f) the head petitioner was informed of the above points and was also reminded that the 4 week representation was about to commence therefore giving residents another chance to make their comments.
- 3.6.13 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 6 and full proposal (Appendix 5).

#### 3.6.14 <u>Mitchell Brook Primary School</u>

The Governing Body of Mitchell Brook Primary School with the help of the Local Authority consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 7. Over 1100 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.

- 3.6.15 Consultation meetings with staff, parents and the community were held at the school on 31 January and 6 February 2012, details of which can be found in Appendix 8 as attachments.
- 3.6.16 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 630 Reception to Year 6 places completed on 15

- February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.
- 3.6.17 The proposal received 26 on time responses to the consultation. 10 (38%) consultees support the proposal, 14 (54%) consultees have expressed concerns, whilst 2 (8%) remained undecided.
- 3.6.18 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 9 and full proposal Appendix 8).

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

- 3.6.19 Following the consultation stages outlined above, the Local Authority with the support of the governing bodies of Barham Primary School, Fryent Primary School and Mitchell Brook Primary School published the Statutory Notices in two local newspapers on 23 February 2012 for altering the school by expanding Barham Primary School by one form entry, Fryent Primary School by two forms of entry and Mitchell Brook Primary School by one form of entry from January 2013.
- 3.6.20 The Council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012. Hence, the Executive is requested to approve the expansion of Barham, Fryent and Mitchell Brook primary schools from January 2013, conditional upon the granting of planning permission and in accordance with Regulation 38 (1) (a) of the School Organisation Regulations.
- 3.6.21 Copies of the full statutory proposals are attached as Appendices 2, 5 and 8 and the statutory notices as Appendices 3, 6 and 9.
- 3.6.22 The statutory notices were followed by a 4 week statutory period (Representation stage), which ended on 21 March 2012, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Executive when the proposal is determined.

#### Responses received during the Representation Stage:

3.6.23 Only one representation was received for the three schools during the 4 week statutory period as outlined below:

	Agree	Disagree
Barham	0	0
Fryent	1	0
Mitchell Brook	0	0

The one representation was in support of Fryent Primary School – an extract is provided below:

"School expansion is very important for the community at large and in a time of high demand and a shortage of places, Fryent is best placed to serve the community's need. School expansion will also be beneficial to existing pupils who will gain access to better facilities and a decent school environment fit for purpose. A number of other parents I have spoken with also support the plans."

#### 3.7 Next Steps

3.7.1 The milestones following a decision by the Executive to determine this proposal to alter Barham, Fryent and Mitchell Brook primary schools are set out in the timetable below:

Milestone	Date
Executive Decision to expand the three schools	23 April 2012
Planning Application submitted	Mid-May 2012
Planning Approval anticipated by	Mid-August 2012
Award of contract for building works under delegated authority by	Mid-August 2012
Reception class with 30 new places commences on	7 January 2013
Building work finishes	30 April 2013
Full New Capacity (R-Y6) available from	September 2013

#### 4.0 St. Robert Southwell Primary School (Voluntary Aided)

- 4.1 The school is currently offering 45 places per year group and has previously expressed an interest in expanding by 15 places per year group, which would increase its admission number to 60 places.
- 4.2 The school is situated in an area of need; based on recent applications, the proposed new places are likely to be taken by Brent children. An expansion will meet the following previously established principles:

Sr. No.		St. Robert Southwell Primary
	Planning Area	Area 1
	Additional Provision	0.5FE
1.	Principle 1 – Sufficiency of demand	$\checkmark$
2.	Principle 2 – Improving learning outcomes	<b>√</b>
3.	Principle 3 – Efficient use of resources	<b>√</b>
4.	Principle 4 – Improving local SEN provision	TBC
5.	<b>Principle 5 –</b> Diversity of type of provision:	
a)	Expansion of existing primary schools	$\checkmark$
b)	Establishment of all through schools	
c)	Establishment of 5 FE primary schools	
d)	Amalgamating schools	
e)	'Bulge' Classes	
	Estimated Cost	£1.5m for 0.5FE

4.3 The school via its own resources had appointed consultants and applied for Planning Permission for construction of a new five classroom block and subsequent alterations.

The estimated budget for the works is £1.5m, which would provide 0.5FE expansion. In the August 2011 Executive Report, the cost per FE expansion at an existing primary school was estimated as £3.6m, which would equate to £1.8m for 0.5FE. Using this as a comparator, a proposed expansion of St. Robert Southwell would offer a value for money solution. The school has also been willing to provide a contribution (10%) towards the scheme cost.

The Council will collaborate with the Westminster Diocese to ensure that the proposed expansion meets their strategic objective. A separate statutory consultation to expand St. Robert Southwell School by 0.5FE will be required. The following table provides an indicative timetable for an expansion:

Milestone	Date
Executive approval of the report	23 April 2012
Council collaborates with the school and Westminster Diocesan Board	May – June 2012
Council completes due diligence by	Mid-August 2012
Governing Body completes Statutory Consultation	September 2012
Proposal progresses into delivery stage	September 2012
Building work finishes	August 2013
15 new places per year group available from	September 2013

#### 5.0 Procurement

- 5.1 As reported to the Brent Executive in March 2012, based on RIBA stage C, the total budget for the three schemes (Barham, Fryent & Mitchell Brook) is estimated at £14.9m.
- In February 2012 the Council appointed the design team to develop the design for the three primary schools (Barham, Fryent & Mitchell Brook), in parallel to the statutory proposal process so that the Council is given a realistic chance of completing the build programme by April 2013.
- 5.3 The Planning Application is due to be submitted in May 2012. The Council has been considering the most viable routes for procuring the new buildings. The preferred option is to use a Government Procurement Service (GPS) framework for modular buildings for procuring the main contractor. Under this approach the major part of the works will involve prefabrication of units off site, delivery and installation including connection to existing services such as electricity. Use of a framework is as an alternative to a full tender process under the EU public procurement rules (see further Legal Implications section below). Due to the need to provide Reception school places urgently by January 2013 with scheme completion by April 2013, it is necessary to use a pre-existing framework to appoint the main contractor since an EU-compliant tender process will take considerably more time and it is likely to miss the January & April 2013 milestones. The Council is also considering other frameworks such as IESE (previously used for expanding Preston Manor Primary, Newfield & Brentfield Primary schools). Whilst the GPS is the preferred framework, alternative frameworks will be reviewed in parallel to ensure the most advantageous route for the Council is selected in delivering the expansion schemes.

- Normally all works contracts exceeding £1m in value have to be awarded by the Executive. It is not usual for award decisions to be delegated however it is considered justified in the circumstances where the implementation time is short. Due to the urgent need to deliver on these schemes by April 2013 or risk a wider gap in provision of primary school places from January 2013, it is also proposed that there be delegation to the Director of Regeneration and Major Projects to award one or more works contracts to deliver on these schemes in consultation with the Lead Member for Regeneration and Major Projects.
- This section does not cover the procurement requirement for St. Robert Southwell Primary School. Once the Executive makes its decision on recommendation 2.6 under Section 2, the Council will review the requirement and develop an appropriate procurement method.

#### 6.0 Financial Implications – Finance to review and update

6.1 The report entitled Temporary Expansion of Brent Schools: 2012-13 submitted to the March Executive Committee included initial forecast costs (based on RIBA Stage C cost estimate) for the schemes proposed for approval as follows:

School	Cost Based on Feasibility Study £'000
Barham Primary School	4,800
Fryent Primary School	6,300
Mitchell Brook Primary School	3,800

The Capital Programme approved by Full Council on 27<sup>th</sup> February 2012 includes Budgetary Allocations for school expansion schemes based on the grant allocations received to date, outlined at paragraph 3.1.17, and forecasts of DCLG Settlement figures for future years post 2012/13 as follows:

	2012/13 Budget £'000	2013/14 Budget £'000	2014/15 Budget £'000	2015/16 Budget £'000
Provision for Permanent School Expansions	13,067	0	0	0
Surplus Capital Grant Not Yet Allocated to Schemes	16,841	16,034	17,106	7,710
Total	29,908	16,034	17,106	7,710

- As demonstrated in the above tables forecast costs can be met from within existing budgetary provision which is entirely grant funded and has no recourse to unsupported borrowing and the associated revenue implications of such.
- The expansion of pupil numbers at each of the proposed schools will result in increased revenue costs associated with the increased provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formulaic allocation from the DfE.

#### 7.0 Legal implications

7.1 The procedure for the enlargement of Barham Primary School and Fryent Primary School is as required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 23 April 2012 meeting

2007 as amended. The Local Authority is entitled to make prescribed alterations to Barham Primary School and Fryent Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.

- The procedure for the enlargement of Mitchell Brook Primary School is as required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Governing Body is entitled to make prescribed alterations to Mitchell Brook Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 7.3 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 7.4 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 7.5 The Council's legal officer advises on a) to d) that:
  - a) Executive should decide this
  - b) The published notices meet the requirements
  - c) The required statutory consultations have been carried out
  - d) The proposals are not related to any other proposals
- 7.6 The Brent Executive acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.
- 7.7 The Executive would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form is applicable.
- 7.8 If the Local Authority fail to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the 2 month period.

#### 7.9 Decision Making:

- 7.10 There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:
  - Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.

Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The four week statutory representation period closed on 21 March 2012.

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

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

Are the proposals "related" to other published proposals?

Barham Primary School, Fryent Primary School and Mitchell Brook Primary School proposals are all being carried out at the same time but are not dependent or 'related' to each other or other proposals.

#### 7.11 Types of Decision

- 7.12 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.
- 7.13 In considering prescribed alteration proposals, the Decision Maker can decide to:
  - reject the proposals;
  - approve the proposals;
  - approve the proposals with a modification (e.g. the implementation date); or
  - approve the proposals subject to them meeting a specific condition.
- 7.14 The following bodies may appeal against an LA decision:
  - The local Church of England diocese;
  - The Bishop of the local Roman Catholic diocese;
  - the Young People's Learning Agency (previously the LSC) where the school provides education for pupils aged 14 and over; and
  - The governing body of the Community School that is proposed for expansion.
- 7.15 Any appeals must be submitted to the LA within 4 weeks of the notification of the LA decision. On receipt of an appeal the LA must then send the proposals and the comments and objections received, to the schools adjudicator within 1 week of receipt of the appeal. The LA should also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals must also be sent to the schools adjudicator.
- 7.16 Procurement: Legal Services has also been advising on the procurement described in section 5 above and will be involved in formalising the works contract to ensure that it complies with standing orders and allocates risk to the contractor as appropriate to protect the Council's interest. A Works contract of the value outlined in section 5 is a High Value contract under the Council's Contract Standing Orders and also normally needs to be tendered under the EU public procurement regime. Here the proposed

use of a framework means that a further EU tender is not required. This is because a framework is an arrangement set up following a tender process in accordance with the regulations governing the EU public procurement regime, enabling public sector bodies within the scope of the framework to call off a contract with the, or one of the, contractor(s) on the framework in accordance with the rules of the framework, normally following a mini-competition process. Under Contract Standing Orders, the proposed use of a framework established by any organisation apart from Brent does not require Executive approval, but requires both Chief Officer approval and confirmation from the Director of Legal and Procurement that using the framework is legally permissible. As at the time of preparing this report, Chief Officer approval for the Government Procurement Service framework most likely to be used (see section 5 above) has already been given, and Director of Legal and Procurement confirmation that the use is legally permissible will be obtained before the date of the Executive meeting.

- 7.17 Contract Standing Orders also requires that a High Value contract is awarded by the Executive. However in view of the short timescales proposed to deliver these school places, it is proposed that there should be a delegation to the Director of Regeneration & Major Projects to award one or more works contracts from one of the frameworks identified in section 5.
- 7.18 St. Robert Southwell Primary School: The proposed expansion of the primary school by 105 new Reception to Year 6 places may require a statutory proposal. Following further discussions with the school, there will be a need for some form of legal agreement (depending upon whether the school or the Council are to be the employer under the works contract) and also further Executive approval to appoint the works contractor.

#### 8.0 Diversity Implications

- 8.1 The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham, Fryent and Mitchell Brook primary schools would enable the Council to provide additional new places required for Brent's growing pupil population.
- The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on a regular basis.
- 8.3 Equality Impact Assessments for each school have been completed for Barham, Fryent and Mitchell Brook Primary Schools and are attached to this report.
- An Equality Impact Assessment will also be completed for St. Robert Southwell during the due diligence exercise that will be undertaken by the Council.

#### 9.0 Staffing Issues

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

#### 10.0 Background Papers

- Equality Impact Assessment for Barham
- Equality Impact Assessment for Fryent
- Equality Impact Assessment for Mitchell Brook
- Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form
- Research Study A Good School Places for Every Child in Brent, 2008 http://intranet.brent.gov.uk/consultation.nsf/0/38c39cab7915e95c802573b8003f eb74?OpenDocument

#### 11.0 Appendices

Appendix 1	Barham Primary School – consultation document
Appendix 2	Barham Primary School – full statutory proposal document
Appendix 3	Barham Primary School – statutory notice
Appendix 4	Fryent Primary School – consultation document
Appendix 5	Fryent Primary School – full statutory proposal document
Appendix 6	Fryent Primary School – statutory notice
Appendix 7	Mitchell Brook Primary School – consultation document
Appendix 8	Mitchell Brook Primary School – full statutory proposal document
Appendix 9	Mitchell Brook Primary School – statutory notice
Appendix 10	Excerpt from a Guide for Local Authorities and Governing Bodies

#### **Contact Officers:**

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Richard Barrett
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Regeneration & Major Projects
Richard.Barrett@brent.gov.uk

KRUTIKA PAU
Director of Children and Families

ANDREW DONALD Director of Regeneration and Major Projects

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Barham Primary School by 1FE	Is the service/policy/procedure/project etc:  New  Old
Predictive Retrospective	Adverse impact  Not found  Found  Service/policy/procedure/project etc, amended to stop or reduce adverse impact
	Yes No L
Is there likely to be a differential impact on any group?  Yes No  1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic	Please state below:  2. Grounds of gender: Sex, marital status, transgendered people and people with caring
backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers  Yes  No	responsibilities  Yes  No
Grounds of disability: Physical or sensory impairment, mental disability or learning disability	4. Grounds of faith or belief: Religion/faith including people who do not have a religion
Yes No	Yes No
5. Grounds of sexual orientation: Lesbian, Gay and bisexual	6. Grounds of age: Older people, children and young People
Yes No	Yes No
Consultation conducted  Yes	
Person responsible for arranging the review:	Person responsible for publishing results of Equality Impact Assessment:

Judith Joseph	Judith Joseph
Person responsible for monitoring:	Date results due to be published and where:
Judith Joseph	
	The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now.
	The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

#### 1. What is the service/policy/procedure/project etc to be assessed?

The Council is proposing to expand Barham Primary School by one form of entry from September 2012; this means that the school will become a four form of entry provision and its admission capacity will increase from 630 to 840 Reception to Year 6 places.

2. Briefly describe the aim of the service/policy etc? What needs or duties are it designed to meet? How does it differ from any existing services/ policies etc in this area

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

#### **Demand for Primary Places**

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

For 2010-11, temporary provision of 245 additional Reception places were added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15), Ashley Gardens / Preston Manor (60), Curzon Crescent (30), (College Green(8) and Granville (12). Many of these places became permanent in the 2011/12 academic year.

For the 2011/12 academic year additional permanent places were created Brentfield (30), Newfield (30) and Preston Manor (60).

Despite adding new places, there remains a shortfall of Reception places in the borough.

The demand for Reception places is significantly greater than the number of available places. As at 7 February 2012, 653 primary aged pupils remained without a school place, of which, 203 pupils were Reception aged children.

Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a

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

Barham Primary School is located at Danethorpe Road, Wembley, HA0 4RQ. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.

The governing body published the proposal to expand Barham Primary School by one form of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Barham Primary School will offer 4FE provision from January 2013. Its admission capacity will increase from 630 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Barham Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

#### 3. Are the aims consistent with the council's Comprehensive Equality Policy?

Yes, the project is consistent with the following areas:

Disability
Belief/Faith
Sexual Orientation
Age

Gender

Race

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

None. The expansion of Barham Primary School is unlikely to negatively affect the community.

The Expansion of Barham Primary School will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

Barham Primary is a popular and high performing primary school; the local authority is confident that sufficient number of applications will be received for the permanent primary provision.

An area analysis of the site has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for Building Research Establishment Environmental Assessment Method accreditation.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitive) have you used to form your judgement? Please supply us with the evidence you used to make you judgement separately (by race, gender and disability etc).

The statutory educational consultation and proposal are out for consultation and will be followed by the statutory notice period.

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

In May 2009, the local authority consulted with primary schools in the borough to explore the possibility of increasing the number of school places. Subsequently, the local authority reviewed opportunities to increase capacity at all primary schools and attempted to match these with areas where there was the highest demand for school places. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment for a long list of schools.

In May 2011 the Council carried out a consultation with all Brent schools to inform headteachers and governing bodies of the then current shortfall in school places in the primary sector and the action that had been taken so far

to address the shortfall. The consultation set out the forecast for future demand over the next four years and to consult on the principles which underpins the council's strategy for the planning of additional primary school places.

The principles underlying the primary school place strategy include:

- Sufficiency of demand
- Improving learning outcomes
- Efficient use of resources
- Improving local SEN provision
- Diversity of type of provision

Subsequently, Brent Council discussed the option to provide primary school places with Barham Primary School. The Governing Body of Barham Primary School agreed to consult on the proposal to permanently expand the school by one form of entry.

The expansion of Barham Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham Primary School would enable the Council to provide additional new places required for Brent's growing pupil population. The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

No negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

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

Barham Primary School with the Council has consulted with key interested parties on the alteration proposal.

#### Consultation document distributed to:

Barham Primary School (parents, staff, student council, governors)	Brent Libraries
All maintained schools and Academies in Brent	Local residents in the immediate vicinity
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	Local Residents Association
Trade Unions	All Brent Councillors
Brent local MPs	Brent Children's Centres
Brent Customer Services shops	Sport England
Local Nurseries and Early Years Services	Secretary of State

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meetings were held at the school 23 January 2012 and 7 February 2012. The staff consultation took place on 17 January 2012.

8. Have you published the results of the consultation, if so where?

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

With regard to the concerns around asbestos, it is council policy to adhere to health and safety rules and regulations.

With regard to staffing the school will recruit staff in proportion to the number of children admitted to the school.

There are no plans for staff redundancies as part of this project.
10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.
Traffic congestion due to increase in the school capacity has been identified as a potential issue for the local community. Under the scheme, traffic assessments are being undertaken and an analysis will follow as to find the best possible solution to mitigate the impact, which will include an improved travel plan from the school as well as a review if an alternative pedestrian access could be created via the adjacent park.
A further public consultation meeting is being planned to be held in the 3 <sup>rd</sup> week of April 2012.
11. If the impact cannot be justified, how do you intend to deal with it?
N/A
12. What can be done to improve access to/take up of services?
N/A
13. What is the justification for taking these measures?
N/A
14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.
Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.
This EIA will be kept under review periodically through the project.
15. What are your recommendations based on the conclusions and comments of this assessment?
Proceed to seek permission from Brent Executive to approve the proposal. Thereafter, complete this expansion project.
Should you:
Take any immediate action? N/A.
2 Develop equality objectives and targets based on the conclusions? N/A

3. Carry out further research? N/A
16. If equality objectives and targets need to be developed, please list them here.
N/A.
17. What will your resource allocation for action comprise of?
Brent Executive in August 2011 approved to evaluate the feasibility of expanding Barham Primary School.
The funding for the proposed expansion of Barham Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.
If you need more space for any of your answers please continue on a separate sheet
Signed by the manager undertaking the assessment:
Full name (in capitals please): JUDITH JOSEPH Date: 5 March 2012
Service Area and position in the council: School Place Planning Officer, Pupil & Parent Services
Details of others involved in the assessment:
Rajesh Sinha `
Once you have completed this form, please take a copy and send it to: The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 25 Responses were received as outline below:

#### Barham Primary School consultation responses received by 15 February 2012

25 responses received in total

16 responses for the expansion

5 responses against the expansion

4 responses either: no comment OR just comments but no decision as such

Agree	Respon se number referen ce	Comment	Parent/ member of staff / other
Agree	1.	<ul> <li>I feel that year groups need to have classrooms together. I worked at a school that moved from 3FE to 4FE and being separated from my colleagues did not work well. Year groups need to communicate.</li> <li>Having 4FE is beneficial to workload if the team collaborates (share planning loads etc.).</li> <li>Playground area is already limited and hectic at lunchtimes due to poor weather (can't use grass). We would definitely need larger playground space to prevent accidents and discord at playtimes.</li> <li>Car park for staff is already full – this will need to be considered as staff numbers will increase.</li> <li>Will teachers be consulted with regards to plans? I have worked in many schools where building work has taken place and vital aspects missed particularly storage.</li> <li>Children should also be consulted as far as possible. Current Year 1/Reception toilets have low partitions but children really don't like it and should have a voice. If things don't work is there scope to change them?</li> </ul>	Member of Staff
Agree	2.	No comment	Parent
Agree	3.	I agree with the council to expand Barham primary school by one form of entry (IFE)sr  I believe this will be a good plan for the whole area of Wembley and Brent. I often see children that should be in school but are not due to not enough places. Hopefully this new plan will help alot of children not currently receiving an education through school.	
Agree	5.	This is very important to our next British generation.	Parent
Agree	11.	No comments.	Parent

Agree	12.	I agree.	parent
Agree	13.	As the proposal explains we agree and aware the population is increasing in Brent; and also there is an immense demand for primary schools in the area.	Parent
		We as parents much appreciate taking necessary measures to occupy more children and hope this would continue with other schools as well in the area. Not only that – we are happy to give our fullest support in any which way the Brent Council needs.	
Agree	14/15.	I agree.	Parent
Agree	16.	I agree.	Other
Agree	17.	I agree.	Parent
Agree	18.	I agree.	
Agree	19.	I agree.	
Agree	20.	I agree	Parent
Agree	21.	I agree this school is a very good school.	Decide (
Agree	24.	With the increased school the capacity for traffic handling must improve. One way to meet this requirement will be to provide: make Danethorpe Road approachable from its dead end – connecting it to Chaplin Road by a link road replacing the back way currently in use, into a two way road. Please consider, it won't need much funding. The space is there. Please make Danethorpe Road safer for the residents' parking problems as the capacity increases by a third and thus more cars coming in and leaving during opening and closing time of the school.  We are already facing problems in this regard. It should be safe for the children who walk to school from ??????? Road to via school and back to Norton Road. Alternatively connect the school through a link road through the park connecting the school by a shortest walk – two way with Danethorpe Road.	Resident Danethor pe Road
Agree	26.	I agree.	
Disagr ee	Respon se number referen ce	Comment	Parent/ member of staff / other
Disagree	4.	My son attends Barham School and is in year 3. My daughter left last year to go to Wembley High.  I strongly object to the expansion of the school. The new building and any extra expansion will compromise the space the children have in the school. There is already limited space in the playground due to the Nursery expansion. This must cause congestion during playtime, thus interfering will the freedom children have to 'run around' at playtime. The expansion itself	
		the freedom children have to 'run around' at playtime. The expansion itself and the extra children will add to the congestion. In the mornings parents are currently pushing past each other to make it to the line on the time, with the	

	1		1
		expansion, and more children and parents this will get worse.	
		How about lunch times? My son tells me that he is rushed through at lunch time, this will get worse when there will be more children to feed. Many children who may only get a good meal at school (Barham school does have a lot if children that are eligible for free school meals) will not be catered for effectively.	
		Are more staff going to be recruited for supervising in the mornings, playtimes, lunch time and home times? The traffic in the area will increase. Having lived in the vicinity for many years, I am sure that accidents involving children will increase, with potentially more cars coming into the area to drop and pick up their children.	
		I am sure that my child's education will be affected. The library and other such resources are not going to be adequately expanded, there appears to be no physical room for this. How about school trips, concerts as a year group? Will this still be able to happen?	
		As a parent, ex pupil and a resident in Brent, I feel that the expansion of the school will downgrade the school and put immense pressure on the staff, children and the surrounding area. The competition will also increase for secondary schools.	
		I hope enough is done to educate hose parents that do not think this is important and help them put their views forward for both sides.	
Disagree	6.	A sure plan but have you done the ground work to see if the site you wish to use is stable and suitable. There may be a reason why that nursery building has not been used for all these years. Subsidence is not something to mess about with. Unstable ground is difficult to build in if the building you want to remove is on such ground. And what about asbestos within the walls?	Local Resident
Disagree	7 / 8.	Currently, in the mornings and afternoons, the congestion caused by parents dropping thier children is completely unacceptable with parents parking on the pavement, grass verges and in front of driveways. Most of these parents and children live within walking distance of the school and neither the school or council have taken measures to address this issue. I note that in the past on just a handful of ocassions traffic wardens have been present to move on the parents who have parked their cars either on	Local Resident
		the lines or blocking drives but this is never followed up and therefore the parents just carry on parking their vehicles in an inconsiderate manner. When the parents are asked to move thier vehicles, they can be aggressive and inpolite in their response.	
		parents just carry on parking their vehicles in an inconsiderate manner. When the parents are asked to move thier vehicles, they can be aggressive and inpolite in their response.  This problem has been raised in the past to the school but we as residents cannot see the school having done anything to rectify the situation.	
		parents just carry on parking their vehicles in an inconsiderate manner. When the parents are asked to move thier vehicles, they can be aggressive and inpolite in their response.  This problem has been raised in the past to the school but we as residents	

		Why has such a meeting been held at 9.00am on a Tuesday morning when most people are at work?  I am sure there would be a better turnout if the meeting was held at a time where more or most people can attend ie in the evening.  However, I am unable to attend and I would like my refusal to be put forward in the meeting where I strongly object to the Barham expansion	
Disagree	9.	I appose the idea of Barham School expanding. This is a very bad idea as the school does enough already for the community. The school should not even think of expanding and should work on how to raise their standards. Concentrate to become a better school in the borough and work harder to achieve better marks from Ofsted. The school needs to work on their cleaness of itself esp the outside area. Leaves, rubbish, clutter on school premises esp the playground.	Parent
Disagree	10.	The school is already big enough and caters for the community in doing its shared bit – where would the children play as the play areas will get affected. Already the small play ground has been decreased. The school is getting help to expand where as the school should be concentrating on how to better itself. To clean the school inside and thoroughly as it is very grotty on the outskirts. The school needs to focus on their needs and issues then focus on expanding. Thank you. Not a happy parent.  I have commented on this but feel my concerns will not count as the school wants do as it wants. You people will pass it and I would have just wasted my time and stresses myself.	Parent
No comme nts	Respon se number referen ce	Comment	Parent/ member of staff / other
	22.		Parent
	23.		Parent
	25.	" we have no comments or objections regarding Brent's proposals given the location of the schools to Camden."	London Borough of Camden
	27.	The Teachers panel would like to make the following response to this consultation;	
		1. We seek assurances that there will be no redundancies as a result of these proposals.	
		2. We are concerned about the reduction in outside play area	

that the proposed building will result in, especially as pupil numbers rise.	
3. We are very concerned about building work in schools known to have asbestos. We seek assurance that Brent will follow the proper procedures (notifiable under HSE regulations) and that our Health and Safety Adviser Jenny Cooper is copied into these arrangements.	

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Fryent Primary School by 2FE	Is the service/policy/procedure/project etc:  New  Old
Predictive Retrospective	Adverse impact  Not found  Found  Service/policy/procedure/project etc, amended to stop or reduce adverse impact  Yes  No
Le thora likely to be a differential impact on any	
Is there likely to be a differential impact on any group?  Yes No	Please state below:
Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers	Grounds of gender: Sex, marital status,     transgendered people and people with caring     responsibilities
Yes No	Yes □ No □
Grounds of disability: Physical or sensory impairment, mental disability or learning disability	4. Grounds of faith or belief: Religion/faith including people who do not have a religion
Yes No	Yes No
7. Grounds of sexual orientation: Lesbian, Gay and bisexual	Grounds of age: Older people, children and young     People
Yes No	Yes No
Consultation conducted	
Yes	
Person responsible for arranging the review:	Person responsible for publishing results of Equality Impact Assessment:
Judith Joseph	Judith Joseph

Person responsible for monitoring:  Judith Joseph	Date results due to be published and where:
	The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now.  The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

#### 1. What is the service/policy/procedure/project etc to be assessed?

The Council is proposing to expand Fryent Primary School by two form of entry from September 2012; this means that the school will become a four form of entry provision and its admission capacity will increase from 420 to 840 Reception to Year 6 places.

2. Briefly describe the aim of the service/policy etc? What needs or duties are it designed to meet? How does it differ from any existing services/ policies etc in this area

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

**Demand for Primary Places** 

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

For 2010-11, temporary provision of 245 additional Reception places were added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15), Ashley Gardens / Preston Manor (60), Curzon Crescent (30), (College Green(8) and Granville (12). Many of these places became permanent in the 2011/12 academic year.

For the 2011/12 academic year additional permanent places were created Brentfield (30), Newfield (30) and Preston Manor (60).

Despite adding new places, there remains a shortfall of Reception places in the borough.

The demand for Reception places is significantly greater than the number of available places. As at 7 February 2012, 653 primary aged pupils remained without a school place, of which, 203 pupils were Reception aged children.

Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. Each LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand

for them.

Fryent Primary School is located at Church Lane, Kingsbury, London, NW9 8JD. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.

The Local Authority in agreement with the governing body published a proposal to expand Fryent Primary School by two forms of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Fryent Primary School will offer 4FE provision from January 2013. Its admission capacity will increase from 420 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Fryent Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

3. Are the aims consistent with the council's Comprehensive Equality Policy?

Yes, the project is consistent with the following areas:

Disability

Belief/Faith

**Sexual Orientation** 

Age

Gender

Race

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Fryent Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

None. The expansion of Fryent Primary School is unlikely to negatively affect the community.

The Expansion of Fryent Primary School will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

Fryent Primary is a popular and high performing primary school; the local authority is confident that sufficient number of applications will be received for the permanent primary provision.

An area analysis of the site has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for Building Research Establishment Environmental Assessment Method accreditation.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitive) have you used to form your judgement? Please supply us with the evidence you used to make you judgement separately (by race, gender and disability etc).

The statutory educational consultation and proposal are out for consultation and will be followed by the statutory notice period.

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

In May 2009, the local authority consulted with primary schools in the borough to explore the possibility of increasing the number of school places. Subsequently, the local authority reviewed opportunities to increase capacity at all primary schools and attempted to match these with areas where there was the highest demand for school places. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment for a long list of schools.

In May 2011 the Council carried out a consultation with all Brent schools to inform headteachers and governing bodies of the then current shortfall in school places in the primary sector and the action that had been taken so far

to address the shortfall. The consultation set out the forecast for future demand over the next four years and to consult on the principles which underpins the council's strategy for the planning of additional primary school places.

The principles underlying the primary school place strategy include:

- Sufficiency of demand
- Improving learning outcomes
- Efficient use of resources
- Improving local SEN provision
- Diversity of type of provision

Subsequently, Brent Council discussed the option to provide primary school places with Fryent Primary School. The Governing Body of Fryent Primary School agreed to consult on the proposal to permanently expand the school by two forms of entry.

The expansion of Fryent Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Fryent Primary School would enable the Council to provide additional new places required for Brent's growing pupil population. The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

No negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

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

The local authority has consulted with key interested parties on the alteration proposal.

Consultation document distributed to:

- Fryent Primary School: parents, staff, governors and student council
- All maintained schools and Academies in Brent
- Brent Council
- 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
- Local Resident Associations

- All Councillors
- Local Member of Parliament
- All Brent Customer Service Shops
- All Brent Libraries
- Brent Children Centres
- Sport England
- Secretary of State, School Organisation Unit
- Local private nurseries
- Any trade unions who represent staff of Fryent Primary School
- Representatives of main trade unions in Brent
- Any local partnerships including Early Years Development and Childcare Partnership
- Local residents in the immediate vicinity

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meeting was held at the school on 31 January 2012. The staff meeting was held on 30 January 2012.

8. Have you published the results of the consultation, if so where?

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

Representatives of nearby St Robert Southwell School felt aggrieved that Fryent Primary School is being expanded ahead of St Robert Southwell School. They feel that there is a shortage of Catholic places in the area and that the council is over looking this fact

The council is currently in talks with St Robert Southwell School and the Westminster Diocese about expanding their school in a future phase.

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be

justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.
N/A, see above.
11. If the impact cannot be justified, how do you intend to deal with it?
N/A
12. What can be done to improve access to/take up of services?
N/A
13. What is the justification for taking these measures?
N/A
14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.
Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.
This EIA will be kept under review periodically through the project.
15. What are your recommendations based on the conclusions and comments of this assessment?
Proceed to seek permission from Brent Executive to approve the proposal. Thereafter, complete this expansion project.
Should you:
4. Take any immediate action? N/A.
5. Develop equality objectives and targets based on the conclusions? N/A
6. Carry out further research? N/A
16. If equality objectives and targets need to be developed, please list them here.
N/A.

17. What will your resource allocation for action comprise of?

Brent Executive in August 2011 approved to evaluate the feasibility of expanding Fryent Primary School.

The funding for the proposed expansion of Fryent Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment:

Full name (in capitals please): JUDITH JOSEPH Date: 5 March 2012

Service Area and position in the council: School Place Planning Officer, Pupil & Parent Services

Details of others involved in the assessment:

Rajesh Sinha

Once you have completed this form, please take a copy and send it to: The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD

Appendix 1

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 15 Responses were received as outline below:

### Fryent Primary School consultation responses received by 15 February 2012

40 responses received in total

9 responses for the expansion

27 responses against the expansion

4 responses either: no comment OR just comments but no decision as such

Response	Main points raised	Who raised them		
Agree x 9 responses	<ul> <li>Agree but traffic and parking will be made worse, can we have residents parking and a lollipop lady.</li> <li>This will create more places for Brent residents rather than going to schools out of the borough.</li> <li>Agree proving places are provided for all types of schools including voluntary aided.</li> </ul>	4 x parent 1 x governor 1 x local resident 3 not specified		
Disagree x 27 responses	<ul> <li>St Robert Southwell should be expanded</li> <li>St Robert Southwell should be allocated funding</li> <li>Other faith schools should be considered for funding</li> <li>Expanding Fryent is not an efficient use of council monies</li> <li>There is a shortage of Catholic places</li> <li>Access to Fryent School is a very small lane</li> <li>Traffic issues. Church Lane is already congested at school pick up and drop off times</li> <li>Why can't other schools in Brent be expanded too?</li> <li>Health and safety issues with the increased traffic polution</li> <li>Construction work will create noise and disruption throughout the day.</li> <li>The additional places will affect the intake to Kingsbury Green Primary School and the school will lose revenue as a result e.g. the places will be offered January 2013 so near to PLASC there is a possibility of losing children.</li> <li>Will the LA set aside funding to support the leadership team? If so will this be top sliced from the budgets of all schools?</li> </ul>	Parents Staff Local Residents Local business		
Neither fully agree or disagree x 4 responses	<ul> <li>The school should be provided with facilities</li> <li>Additional places in faith schools are needed</li> <li>Additional places needed at St Robert Southwell</li> <li>People in the local flats were not consulted</li> </ul>	1 x London Borough of Camden 1 x Headteacher 1 x parent 1 x other		

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Mitchell Brook Primary School by 1FE	Is the service/policy/procedure/project etc:  New  Old
Predictive Retrospective	Adverse impact  Not found  Found  Service/policy/procedure/project etc, amended to stop or reduce adverse impact  Yes  No
Is there likely to be a differential impact on any group?  Yes  No	Please state below:
5. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers	Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities
Yes No 🗆	Yes No
Grounds of disability: Physical or sensory impairment, mental disability or learning disability	4. Grounds of faith or belief: Religion/faith including people who do not have a religion
Yes No	Yes No
9. Grounds of sexual orientation: Lesbian, Gay and bisexual	10. Grounds of age: Older people, children and young People
Yes No	Yes No
Consultation conducted  Yes	
Person responsible for arranging the review:	Person responsible for publishing results of Equality Impact Assessment:

Judith Joseph	Judith Joseph
Person responsible for monitoring:  Judith Joseph	Date results due to be published and where:
	The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now.
	The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

#### 1. What is the service/policy/procedure/project etc to be assessed?

The Council is proposing to expand Mitchell Brook Primary School by one form of entry from September 2012; this means that the school will become a three form of entry provision and its admission capacity will increase from 420 to 630 Reception to Year 6 places.

2. Briefly describe the aim of the service/policy etc? What needs or duties are it designed to meet? How does it differ from any existing services/ policies etc in this area

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

### **Demand for Primary Places**

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

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

Mitchell Brook Primary School is located at Bridge Road, London, NW10 9BX. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.

The governing body published the proposal to expand Mitchell Brook Primary School by one form of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Mitchell Brook Primary School will offer 3FE provision from January 2013. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Mitchell Brook Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

#### 3. Are the aims consistent with the council's Comprehensive Equality Policy?

Yes, the project is consistent with the following areas:

Disability Belief/Faith

**Sexual Orientation** 

Age

Gender

Race

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Mitchell Brook Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

None. The expansion of Mitchell Brook Primary School is unlikely to negatively affect the community.

The Expansion of Mitchell Brook Primary School will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

Mitchell Brook Primary is a popular and high performing primary school; the local authority is confident that

sufficient number of applications will be received for the permanent primary provision.

An area analysis of the site has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for Building Research Establishment Environmental Assessment Method accreditation.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitive) have you used to form your judgement? Please supply us with the evidence you used to make you judgement separately (by race, gender and disability etc).

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In May 2009, the local authority consulted with primary schools in the borough to explore the possibility of increasing the number of school places. Subsequently, the local authority reviewed opportunities to increase capacity at all primary schools and attempted to match these with areas where there was the highest demand for school places. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment for a long list of schools.

In May 2011 the Council carried out a consultation with all Brent schools to inform headteachers and governing bodies of the then current shortfall in school places in the primary sector and the action that had been taken so far

to address the shortfall. The consultation set out the forecast for future demand over the next four years and to consult on the principles which underpins the council's strategy for the planning of additional primary school places.

The principles underlying the primary school place strategy include:

- Sufficiency of demand
- Improving learning outcomes
- Efficient use of resources
- Improving local SEN provision
- Diversity of type of provision

Subsequently, Brent Council discussed the option to provide primary school places with Mitchell Brook Primary School. The Governing Body of Mitchell Brook Primary School agreed to consult on the proposal to permanently expand the school by one form of entry.

The expansion of Mitchell Brook Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Mitchell Brook Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

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6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age

regulations/legislation if applicable)

No negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

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

Mitchell Brook Primary School with the Council has consulted with key interested parties on the alteration proposal.

Consultation document distributed to:

Mitchell Brook Primary School (parents, staff, student council, governors)	Brent Libraries
All maintained schools and Academies in Brent	Local residents in the immediate vicinity
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	Local Residents Association
Trade Unions	All Brent Councillors
Brent local MPs	Brent Children's Centres
Brent Customer Services shops	Sport England
Local Nurseries and Early Years Services	Secretary of State
Harmony Children Centre	

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meeting was held at the school 7 February 2012. The staff consultation meeting took place on 31 January 2012.

8. Have you published the results of the consultation, if so where?

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

Many of the responses in the consultation period were concerned about the reduced play space if Mitchell Brook Primary School were to expand. The council has now informed the school that Harnony Nursery is due to close at the end of March 2012. The expansion plans now include the Harnony Nursery site which increases play space provision. The school is now satisfied with the plans.

23 April 2012 meeting

With regard to the concerns around asbestos, it is council policy to adhere to health and safety rules and regulations.
With regard to staffing the school will recruit staff in proportion to the number of children admitted to the school. There are no plans for staff redundancies as part of this project.
10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.
N/A, see above.
11. If the impact cannot be justified, how do you intend to deal with it?
N/A
12. What can be done to improve access to/take up of services?
N/A
13. What is the justification for taking these measures?
N/A
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Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.
This EIA will be kept under review periodically through the project.
15. What are your recommendations based on the conclusions and comments of this assessment?
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16.	If ed	quality	objectives	and	targets	need	to	be	developed,	please	list them	here.

N/A

17. What will your resource allocation for action comprise of?

Brent Executive in August 2011 approved to evaluate the feasibility of expanding Mitchell Brook Primary School.

The funding for the proposed expansion of Mitchell Brook Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment:

Full name (in capitals please): JUDITH JOSEPH Date: 5 March 2012

Service Area and position in the council: School Place Planning Officer, Pupil & Parent Services

Details of others involved in the assessment:

Rajesh Sinha

Once you have completed this form, please take a copy and send it to: The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD

Appendix 1

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 26 Responses were received as outline below:

## Mitchell Brook Primary School consultation responses received by 15 February 2012

26 responses received in total

10 responses for the expansion

14 responses against the expansion

2 response either: no comment OR objection

Agree	Response number reference	Comment	Parent/ member of staff / other
Agree	2.	I think that the new building will improve the school as longer the space and the best interest of the children are first priority.  How safe is to have a play area on the roof? Will you do something with the caretaker'house? the anex?  How will you create more play space in alredy a small area?	
Agree	3.	I agree.	Guardian
Agree	4.	I agree.	Parent
Agree	5.	I agree.	Parent
Agree	6.	Hopefully the additional classes at Mitchell Brook Primary School will ensure that local children will be able to attend schools in the local area.	Neighbour
Agree	7.	I think it is a very good idea to expand the school. I am sure that will be beneficial for all the parents who live in the area.	Parent
Agree	8.	I think it would be good to use some of the park space for the school. I worry that the kids need more space. School needs help to get better play area. Traffic could become a problem, parking problems for teachers as on event days they have to park in school playground.	Parent
Agree	9.	I agree.	
Agree	10.	I agree with the governors of the school to expand the school by one form of entry. But it will require a lot of things which are (1) the road to the school is already difficult to cross and now that they are going to expand the school I suggest they create a pelican crossing or traffic light at both sides of the road so that it can be easier for everybody to cross.  (2) how are they going to make the front of the school look better than it does now because all we know is the play area is going to be used for this expansion. But one	Parent

		thing you should know is the kids needs space as well. (3) inside the main building needs a lot of renovation such as painting and there are so many cracks in the building. I hope they will do something about that. And the toilets in the school are very bad and they need to be changed and also, how are they going to create a space for parents to stand if it is raining and the school doors are not open? I hope the school is not going to be overcrowded.	
Agree	11.	I highly welcome the idea to expand the school by one form of entry. This will enable many more places to be created for more children who might otherwise be staying at home. Fantastic.	Parent
Disagree	Response number reference	Comment	Parent/ member of staff / other
Disagree	12.	Unless parents can be educated in walking their children to school, the congestion that we suffer twice a day in Bridge Road / Woodheyes Road will only get worse if the school roll increased. If Mitchell Brook can discourage 'the school run' mentality then I have no problem with its expansion.	Local resident
Disagree	13.	I disagree.	
Disagree	14.	<ul> <li>More children. Less space.</li> <li>Disturbance while building works are on going</li> <li>Existing children's education /activities will be jeopardised e.g. school closure, cancellation of activities, summer clubs etc.</li> <li>Quality of service will be put at stake (teaching)</li> <li>Traffic problems, congestion, parking</li> <li>Eating meals at lunchtimes will become limited</li> <li>Corridors/staircases will be congested</li> <li>Lost of personalisation.</li> <li>Mitchell is doing well but not outstanding How would more children better the situation? Limited use of equipment per child e.g. computers, microphones etc. for assemblies. Mitchell Brook Primary is already larger than the average. The school has to focus on how its lead and managed effectively, meeting childrens' needs. Preparing them for change of year, changing school further/ higher education. Ensure existing children are making major progress. Already concerns with the upkeep of maintenance of facilities e.g. toilets, playground.</li> <li>Concerns with the upkeep of timetables, spelling tests, PE lessons, practising for assemblies etc.</li> </ul>	Parent
Disagree	15.	I feel that at the moment the ethos of the school works	Parent

		due to the number of children based in the school if the numbers of children were to increase I think it would reduce the community feel strongly has and the children's level of attainment would decreases and perhaps cause chaos especially within the pastoral service i.e. behavioural needs.  I also think that the playground is not big enough to accommodate an extra 210 children – would more staff be employed? How would the children per form be phased in? Would it be year via Reception entry or would there be an influx of skeleton year groups? I do not think the school is able to cope with this increase as it is a average sized community school at present. The staff are really passionate about their job and the children they care for, but I think this may change in terms of overload work commitments and stress levels, leaving the children to pick up on the negativity. I say no to school expansion.	
Disagree	16.	Based on the lack of mention for the provision of extra playground space.	Parent
Disagree	17.	The space is not enough at present. The families already live in cramped conditions. Can we have the planned MUGA closer to the school? That would make a huge difference.	Member of Staff
Disagree	18.	The school is already small so there is no way to change it. So please leave the way it is. Thank you	
Disagree	19.	I disagree with the governors because I like the way it is and I think if they change anything it will be uncomfortable place. Thank you	
Disagree	20.	Worry about traffic and double parking.	Local Resident
Disagree	21.	<ol> <li>I think to increase the numbers by a third will directly lead to a use of 1/3 less space if more space is not being offered. Simple</li> <li>I think this will have a negative impact on the results of the school; physically, socially and educationally.</li> <li>the children need space to play healthily. There are consistent statistics showing that kids don't play 'actively' enough anymore. A lot of these children already live in confined spaces at home.</li> <li>I think tacking on more classrooms to schools which are managing to create consistent progress will disrupt and damage their progress.</li> <li>I have direct experience of Salisbury Road following this pattern and going downhill even in an affluent area.</li> <li>I think it would be better to restructure schools which are already failing badly.</li> <li>it seems wrong that the process reflects some sort of financial bribery.</li> <li>it is worrying that the figures for population growth are being tackled at the end of the line rather that at the beginning. There needs to be more publicity about the problems being experienced by the education infrastructure and more debate based on the straight forward facts of the money available, contribution made to the system versus expectations of support for multiple babies. It's commonsense and it needs to be openly discussed. From my</li> </ol>	Parent

		perspective it looks as if we can expect a further decline in educational standards with the facts in front of us.  9. the only suggestion in the meeting / consultation amongst parents which made sense was to increase space as well as numbers by moving the proposed outdoor sports court planned for next to the private school (Swaminarayan) which already has huge outdoor space, to next door Mitchell Brook when the community school gets use of the 'community' facility and therefore more play space.	
Disagree	22.	There is not enough space already for play. How will this be rectified? Can we use some of the unused 'meadow land' on the left? Maybe a multi sports area linked with community use? If this occurred I would agree then.	Parent
Disagree	23.	The reason which I am against Mitchell Brook Primary School to expand is the play area will be cramped and cannot accommodate 630 active pupils, unless you compromise the health and safety. I would like you to consider other options like looking into the small park next to the school for the expansion, as we are all thinking of the children's welfare.	Parent
Disagree	24.	I disagree solely based on the lack of additional space offered. We will increase the children but not the available indoor hall space and outside play space. The roof idea is not enough. We 'make do' as it is. We could be creative with some space but the council needs to ensure the outdoor space is ample for PE / sport.	Member of Staff
Disagree	25.	I have major concerns over the lack of play space after the new building is built which could cause health and safety issues.  Including traffic congestion in a busy shortcut to the North Circular. Also the Parks and council seem to be unyielding in letting the school take a small amount of park space for expansion but would rather give a MUGA to the Swaminarayan Independent School who are not expanding and have unlimited space!  The school already has accommodated a bulge class and unless the	Parent
		school can reach a better building plan that would benefit the school for the future I think taking the front playground for a school hall that isn't big enough for 630 children is a big problem.	
		How about putting the hall on stilts? Or better still build us a MUGA too, or move the MUGA from across the park to next to Mitchell Brook. Please!	
No comment or objections or disagree ment	Response number reference	Comment	Parent/ member of staff / other
No comment	1.	" We have no comments or objections regarding Brent's proposal given the location of the schools to Camden."	London Borough of Camden
22 April 201	26.	The Teachers panel would like to make the following response to this consultation;	Teachers Panel

We seek assurances that there will be no redundancies as a result of these proposals.
 We are concerned about the reduction in outside play area that the proposed building will result in, especially as pupil numbers rise.
 We are very concerned about building work in schools known to have asbestos. We seek assurance that Brent will follow the proper procedures ( notifiable under HSE regulations) and that our Health

and Safety Adviser Jenny Cooper is copied into these arrangements.