

<p align="center">[Grants Determination (Cabinet) Sub-Committee]</p> <p align="center">[12th January 2022]</p>	
<p>Report of: James Thomas, Corporate Director of Children and Culture</p>	<p>Classification: [Unrestricted]</p>
<p align="center">Grant Payment for St Anne's Catholic Primary School Expansion</p>	

Lead Member	Councillor Candida Ronald
Originating Officer(s)	Honora Brinkley Senior Capital Client Officer
Wards affected	Stepney
Key Decision?	Yes
Reason for Key Decision	to result in the relevant local authority incurring revenue or capital expenditure which is, or the making of savings which are in excess of £1,000,000.
Forward Plan Notice Published	2nd Dec 2021 – see forthcoming decisions webpage]
Strategic Plan Priority / Outcome	People are aspirational, independent and have equal access to opportunities

Executive Summary

A budget of £1.3M was approved by Cabinet for the expansion of St Anne's school in September 2020. This report seeks approval to pay this allocated budget, as a grant, to The Roman Catholic Diocese of Westminster to support timely delivery of the expansion project.

Recommendations:

The Grants Determination (Cabinet) Sub-Committee is recommended to:

1. Authorise the Corporate Director of Children and Culture to issue a formal offer of grant to the Roman Catholic Diocese of Westminster to a maximum of £1.3M towards the costs for the expansion of St Anne's Catholic Primary School
2. Delegate the Corporate Director of Children and Culture the power to authorise the execution of any agreements necessary to give effect to recommendation 1.

1 REASONS FOR THE DECISIONS

- 1.1 In August 2020 Guardian Angels Catholic Primary school amalgamated with St Anne's Catholic Primary. As a result of the amalgamation Guardian Angels school closed and it was agreed to expand St Anne's.
- 1.2 The agreed expansion at St Anne's from 1.5 FE to 2 FE will address the current issues of; mixed age group classes, small classrooms that do not meet Government Area Guidelines, and will support choice of educational setting for parents and guardians.
- 1.3 In September 2020 Cabinet approved a budget of £1.3M to fund the expansion at St Anne's schools.
- 1.4 The expansion scheme is being delivered by St Anne's governing body with the support of The Roman Catholic Diocese of Westminster
- 1.5 Whilst the £1.3M budget has already been approved, in order to release the funds the Corporate Director of Children and Culture will issue a formal offer of grant to the Roman Catholic Diocese of Westminster.

2 DETAILS OF THE REPORT

- 2.1 The Cabinet meeting on 25th March 2020, agreed to the amalgamation of Guardian Angels and St Anne's Catholic Primary school which involved the closure of Guardian Angels Catholic Primary school and expand St Anne's Catholic Primary school by 0.5FE.
- 2.2 St Anne's and the now closed Guardian Angels Catholic Primary Schools are within the Stepney school catchment area. The expansion of St Anne's and closing of Guardian Angels reduced Reception places in the catchment area by 30.
- 2.3 A budget of £1.3M was approved by Cabinet for the expansion of St Anne's school in September 2020, based on the understanding that proceeds from the sale of land at Guardian Angels would be used to fund the work.
- 2.4 The expansion is to be delivered by St Anne's governing body with the support of the Roman Catholic Diocese of Westminster and the funding is to be underwritten by the Council to allow the expansion to go ahead.
- 2.5 The Diocese is nearing completion of the works and has now requested that the funds be paid to The Roman Catholic Diocese of Westminster to reimburse their outlay for the project, to a maximum of £1.3M.
- 2.6 Part of the land on which the Guardian Angels School was located should have been transferred to the Diocese of Westminster following the demise of the Inner London Education Authority. This is required under the Schools Standards & Framework Act 1998. This part of the land has not been transferred and is still registered to LBTH. The land, upon closure of the school, should then have been transferred back to LBTH.
- 2.7 The Diocese has indicated that they agree to extinguish any claim they have to the LBTH part of the land at Guardian Angels and that LBTH can raise funds from the sale of the land, subject to the agreement of the Secretary of State through a Section 77 application.

3 OFFER OF THE GRANT

- 3.1 The Corporate Director of Children and Culture will enter into a grant agreement with the Diocese to secure the Council's position regarding the land at Guardian Angels, in advance of the payment of the grant.

4 EQUALITIES IMPLICATIONS

- 4.1 The proposed works would provide parents and guardians in the Borough with appropriate choice of educational setting.
- 4.2 The project therefore contributes to the theme 'A better deal for children and young people: aspiration, education and skills'.

5 OTHER STATUTORY IMPLICATIONS

5.1 Best Value Implications

The works package for delivery of the project has been tendered by the Diocese and it completed a best value exercise in its assessment of tenders.

5.2 Risk Management

The Council has not committed itself to payment of a grant at this stage. A formal offer of a grant will only be made once a grant agreement has been entered into with the Diocese to ensure matters regarding the ownership and proceeds for sale of the land at Guardian Angels school have been completed to its satisfaction.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 Funding is provided from Capital funds set aside for Schools and included in the Capital programme. As a VA School the Diocese have managed the works and therefore the grant award is a reimbursement for work done in meeting the LAs statutory duty to provide School places. There is no impact on general fund.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal power to make the grant described in this report.
- 7.2 Under section 14 of the Education Act 1996 the Council has a duty to secure sufficient primary and secondary schools places. In fulfilling this duty the Council has to work with schools and other partners to deliver the places needed. The process detailed in the School Organisation (Prescribed Alteration Maintained Schools) Regulations 2013, together with the associated guidance, has been followed in respect of the proposal to expand St Anne's.
- 7.3 Therefore, the provision of this grant complies with the Council statutory obligations to provide sufficient school places in its area. The Council will constantly monitor the grant to ensure that such obligations are always met, and funding distributed fairly.

- 7.4 The grant monitoring will be supported by appropriate agreement terms. The agreement will ensure that the funding is used in compliance with the works specification and the conditions highlighted in this report. This will assist the Council achieving Best Value in line with the law. A condition of the grant is that the Recipient will not contest any future use of the Guardian Angels Catholic School's Land for educational purposes and confirm that the title for the land is with the Council and no longer subject to statutory transfer under the School Standards & Framework Act 1998.
- 7.5 The Council is required when exercising its functions to comply with the duty set out in section 149 of the Equality Act 2010, namely to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between those who share a protected characteristic and those who do not, and foster good relations between those who share a protected characteristic and those who do not. An equality impact assessment has been carried out prior to the decision to amalgamate the schools with particular regard to the impact on the religious needs of the affected children, parents and staff and balance of denominational provision in the area. The grant monitoring process will assess any further equalities issues that may arise and ensure that these are dealt with appropriately.

Linked Reports, Appendices and Background Documents

Linked Report

- 23rd September 2020 Cabinet report Capital programme 2020-21 to 2022-23
<http://democracy.towerhamlets.gov.uk/documents/g11358/Public%20reports%20pack%2023rd-Sep-2020%2017.30%20Cabinet.pdf?T=10> .
- 25th March 2020 Cabinet Report on the outcome of public representations received in response to the statutory proposal to amalgamate Guardian Angels and St Anne's Catholic Primary Schools.
<http://democracy.towerhamlets.gov.uk/documents/g10231/Public%20reports%20pack%2025th-Mar-2020%2017.30%20Cabinet.pdf?T=10>

Appendices

- NONE.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE.

Officer contact details for documents:

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