

Appendix 7: Draft statutory proposals and statutory notice

Statutory proposals for school closures

As set out in the Establishment and Discontinuance Regulations the information below **must** be included in a proposal to close a school:

Contact details

The name and contact address of the local authority or governing body publishing the proposals and the name, address and category of the school it is proposed that should be discontinued.

Proposal published by North Yorkshire County Council, County Hall, Northallerton, DL7 8AD, to discontinue Drax Community Primary School, Castle Hill Lane, Drax, Selby, North Yorkshire, YO8 8NP from 31st August 2017.

Drax Community Primary School is a 4-11 community primary school in the Selby rural area.

Implementation

The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.

It is proposed to close the school from 31st August 2017.

Reason for closure

A statement explaining the reason why closure of the school is considered necessary.

There are three key concerns: 1) Very low pupil numbers; 2) Breadth of curriculum experience; 3) The school's financial position

1) Pupil Numbers

The number of children at Drax Community Primary School has been falling over the past few years, reducing from 52 on roll in 2013/14 to 12 at the start of the September term 2016/17 and more recently only 10 on roll. Although pupil numbers in the wider area have remained relatively stable the popularity of the school relative to others has suffered in recent times. There is unlikely to be any significant new housing in the catchment area as the village is not a designated Service Village within the Selby District Local Plan.

2) Breadth of Curriculum

As numbers fall, it is increasingly difficult to provide the remaining pupils with access to the full range of experiences they need.

The school was last inspected by Ofsted in March 2016 when there were 27 pupils on roll. The overall effectiveness was judged to be Good as were all five contributory judgments. The previous inspection report from October 2013 when there were 53 pupils on roll had found the school to require improvement.

Although the school has only been operating for a short period of time with 12 pupils on roll the Headteacher and Governors quickly identified concerns around the school's ability to meet the educational and social needs of children with such small numbers. The opportunity for children to work in groups together, learn from and play with each other, are very limited.

3) The Financial Position

Pupil numbers determine the school budget. With these lower numbers, and a reduced budget, the school may have to further reduce staff. Examination of the predicted financial position has led to concerns about the school's ability to preserve the quality of education. An assessment of the current position for 2017/18 (based on 10 pupils on roll) sees income fall to £134k from £230k in 2016/17. As a result the projected in-year deficit for 2017/18 is £76k and an overall deficit of £99k by the end of that year. Changes to school funding formulas are likely to make the school even more financially vulnerable and the Local Authority will have increasingly limited ability to provide on-going financial support to schools in this position.

Pupil numbers and admissions

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

There were 12 pupils on roll at the start of this academic year. Subsequently four children left to take up places at other schools and two children new to the village have joined the school. There are now 10 pupils on roll, of the following year groups and genders:

	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Boys	0	1	0	1	0	1	1	4
Girls	0	1	0	1	1	1	2	6
	Infants			Juniors				10

The school's age range is 4-11 years, and provision is available for boys and girls. There is no boarding provision. Information on special educational needs of pupils is not provided as this would contravene the Data Protection Act. Total pupil numbers are significantly lower than the capacity of the school which is designed to accommodate up to 70 pupils.

Displaced pupils

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including—

- a) any interim arrangements;
- b) the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and
- c) in the case of special schools, the alternative provision made by local authorities other than the local authority which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.

Camblesforth Community Primary School is proposed as the school to serve a wider catchment area in future. The School is expected to convert to academy status under Ebor Academy Trust during this academic year. Both the School Governors and Ebor Academy Trust have confirmed their willingness to admit any remaining Drax pupils who require a place and also to adopt the Drax catchment area as part of their admission arrangements from 1 September 2017. The current pupil projections for Camblesforth Community Primary School reflect a future sufficiency of places to serve the enlarged catchment area.

There are also places available at Carlton-in-Snaith CP School, 2.7 miles away. It has a capacity of 196 with 159 currently on roll and 158 forecast for September 2017 assuming that a proposed housing development proceeds in the near future. Carlton-in-Snaith CP School was rated by Ofsted as a Good school at its last Ofsted inspection in July 2014.

Barlow CE VC Primary School is the next nearest alternative at 4.6 miles away. It has a capacity of 84 with 58 currently on roll and 61 forecast for September 2017. The school was rated by Ofsted as a Good school at its last Ofsted inspection in December 2012.

For any children currently at the school, North Yorkshire County Council will work with each family to try to meet their individual preferences for other schools.

Parents have a right to express a preference for any school and, in the case of community and voluntary controlled schools, the relevant Local Authority is the admissions authority and will meet that preference provided there are vacant places or the school is happy to admit above the published admission number. In the case of Voluntary Aided schools, the governing body decide the conditions for admission to their particular school. Where a child attends a school which is not their normal school or nearest school, parents are normally responsible for making transport

arrangements.

Impact on the community

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

During the consultation period, concerns have been voiced about the impact on the community if the school closed. These include a concern that the village has little or no spirit left and that people within the community are not being encouraged to come together and unite. The feeling is that the closure of the school would only add to this demise.

Another concern raised is that a closure of the school would worsen the economic development of the area as young families would be less likely to move into the community. The impact of this is thought to potentially reduce the skills of the workforce in the area, hindering development and impacting on local businesses. There was also concern about the loss of village history and tradition the closure of the school would bring.

Other users of the school building who host meetings in the premises include Drax Parish Council, Drax Burial Board and the wind farm. There is however a village hall less than 500ft and a 2 minute walk from the school which is available for hir for educational, playgroup and private functions.

Rural primary schools

Where proposals relate to a rural primary school designated as such by an order made for the purposes of Section 15 (Education and Inspections Act 2006 (EIA), a statement that the local authority or the governing body (as the case may be) considered Section 15(4) EIA.

Drax Community Primary School is designated as a rural school under the Designation of Rural Primary Schools (England) Order. The School Organisation regulations and guidance contain a presumption against closure of rural schools, and it is a requirement that proposers must consider the effect of the discontinuance of any rural primary school on the local community. The statutory guidance specifically states that 'This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area.' The guidance states that when producing a proposal, the proposer must carefully consider:

- The likely effect of the discontinuance of the school on the local community;
- Educational standards at the school and the likely effect on standards at neighbouring schools
- The availability and likely cost to the LA of transport to other schools;

- Any increase in the use of motor vehicles which is likely to result in the discontinuance of the school and the likely effects of any such increase; and
- Any alternatives to the discontinuance of the school

These are examined in turn below.

The likely effect of closure of the school on the local community

Please see the section above 'Impact on the Community'.

Educational standards at the school and the likely effect on standards at neighbouring schools

The most recent Ofsted inspection of Drax Community Primary School was in March 2016 which deemed the school to be Good. At this time there were 27 pupils on roll. However, as numbers have fallen further since then, the school governing body and North Yorkshire County Council have become concerned that pupils will not have access to the full range of experiences they need, particularly opportunities for working and playing with children their own age. Camblesforth Community Primary School has capacity for 120 pupils and currently has 108 on roll although it is anticipated that in September 2017 this will have fallen to 94 due to the effect of the largest year group of 26 in the current year leaving. It is therefore proposed that Camblesforth Community Primary School's catchment area should be extended with effect from 1 September 2017 to serve the area currently served by Drax. Camblesforth CP School was rated by Ofsted as a good school at its last Ofsted inspection in July 2014. It is not considered that the proposed closure of Drax Community Primary School would have any detrimental effect on standards at neighbouring schools.

The availability and likely cost to the LA, of transport to other schools and any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase

If the school closed, there would be a potential additional cost to the Local Authority in providing transport to other schools. Free home to school transport would be provided for entitled pupils within the enlarged catchment area in accordance with the County Council's Home to School transport policy. Based on current pupil numbers and places of residence there would be two eligible pupils. Assuming that both eligible pupils transferred to Camblesforth Community Primary School there could potentially be £1,003.00 additional transport costs per annum. This is based on parents of eligible pupils being offered an allowance of 30p per mile for 4 journeys per school day, or if parents were unable to take this up, it is likely that transport would be by taxi. Should a taxi be needed the cost would be an additional £17,100 per annum. This would be met from the County Council's Home to School transport budget.

Any alternatives to the closure of the school

In Autumn 2016 the governing body took the decision to request that Drax Community Primary School become a sponsored academy with the Ebor Academy Trust. They 'recognised that the school was vulnerable due to its size: projected pupil numbers showed no significant increase and they believed that joining a MAT would offer (a) savings on a range of centrally provided services; (b) an opportunity to build on the school's strengths within a smaller, more focussed organisation; and (c) an opportunity to re-launch the school under a new banner'.

Although the Academy Order was issued in January 2016, the conversion did not take place resulting in a delay for the school in accessing support from the MAT while they were undertaking their period of due diligence. Pupil numbers continued to fall during the second half of 2015/16 and during the summer term Ebor Academy Trust paused the conversion process. Following advice from Ebor Academy Trust and the Department for Education the governing body have discussed the potential for a Federation with Camblesforth Community Primary School as a means of securing the school's future. This was potentially a pre-cursor to academy conversion as Camblesforth CP also has an Academy Order in place alongside approval in principle from the Secretary of State for Ebor to be the sponsoring MAT.

On 5 September 2016 the governing body of Camblesforth Community Primary School rejected the proposal to pursue federation with Drax Community Primary School. Federations cannot be implemented by the local authority; they are agreed between individual school governing bodies.

It is not considered that federation with another local school would in itself secure the future viability of Drax Community Primary School given the level of financial deficits expected in the short-term. Under federation there would be potential financial savings from the sharing of a Headteacher but this would be limited given that the current Drax Headteacher is one of only two staff at the school with qualified teaching status. There would be opportunities for sharing resources etc. and it would present opportunities for other staffing reviews but collectively they are thought insufficient to address the overwhelming financial difficulties.

Although Drax Community Primary School is designated as a rural school the proximity of other schools means it does not benefit from sparsity funding.

The Department of Education have confirmed that the Academy Order will not be rescinded. However it is not a directive order based on standards and so can sit in place until NYCC determine the school's future. Given that Ebor Academy Trust have concluded due diligence and found that in their opinion the school is not viable as a stand-alone establishment it is considered unlikely that another multi-academy trust would be a willing sponsor.

Balance of denominational provision

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

Not applicable

Maintained nursery schools

Not applicable

Sixth form provision

Not applicable

Special educational needs provision

The existing provision at Drax is not reserved for pupils with special educational needs.

Travel

Details of length and journeys to alternative provision.

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.

Eligibility for home to school transport will be determined in line with the County Council's current home to school transport policy and procedures based on each child's home address and individual circumstances.

Where a child attends a school which is not their normal school or nearest school, parents are normally responsible for making transport arrangements.

There are other schools within reasonable travelling distance with places available currently. Camblesforth is 2.2 miles away and is the next nearest primary school for all children currently attending Drax CP School.

Parents will be reminded of the County Council's home to school transport policy when considering alternative schools. Pupils up to the age of 8 would normally be eligible for free home to school transport if they live more than 2 miles from their normal area school (or 3 miles for those over the age of 8). Parents can always express a preference for a school other than their normal area school however they would usually be responsible for making transport arrangements. Eligibility is assessed on an individual basis taking into account the child's home address.

North Yorkshire County Council's Home to School transport policy states that 'Transport will be arranged so that children will not normally spend more than 1 hour 15 minutes travelling to a secondary school or 45 minutes to a primary school. Journey times might need to be longer than this in some more rural areas and where road or weather conditions mean that these times are not practical.' This is in line with statutory guidance from the Department for Education. The journey time for children living within the current Drax CP School catchment area would depend on which other school they attended and their home address, but as noted above, the journey from Drax CP School to Camblesforth CP School is approximately 6 minutes and the distance is 2.2 miles.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director-Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, by 16 March 2017.

Consultation

The decision to consult on closure was taken by the Executive Member for Schools following a request from governors on 14 September 2016. A consultation paper setting out the proposal was sent to parents of pupils on roll, staff at the school as well as other interested parties and individuals. (A copy of the consultation paper is attached as Appendix 1. A list of the consultees is attached as Appendix 2). The consultation period ran from Monday 31 October 2016 to Monday 12 December 2016, a period of six weeks. A public meeting attended by approximately 18 people was held at the school on 23 November 2016. (A note of that meeting is attached as Appendix 3). There have been three consultation responses received (Appendix 4).

Appendix 1: Consultation Paper

Appendix 2: List of the Consultees

Appendix 3: Notes of the Public Meeting

Appendix 4: Consultation Responses