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**Record of Public Meeting concerning proposed closure of Kell Bank CE VC Primary School**

**Second Public Meeting held on 2 December 2020 at 7pm using Microsoft Teams (due to Covid 19 restrictions in place at the time of the meeting)**

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**Present:** County Cllr Patrick Mulligan (Executive Member for Education and Skills, NYCC), Andrew Dixon (Strategic Planning Manager, NYCC), Canon Richard Noake (Director of Education, CoE Diocese Leeds, Jane Wood (Executive Headteacher, Kell Bank CE VC School), Jeff Loveday, (Chair of Governors, Kell Bank CE VC School), Matt George (Strategic Planning Officer, NYCC) and Sue Turley (Strategic Planning Officer, NYCC).

Three school governors, Chair of Fearby, Healey and District Parish Council, two members of Masham Parish Council, two members of the public, a National Education Union representative (North Yorkshire District).

**Apologies:** None noted

16 people were present at the meeting via Microsoft Teams.

AGENDA

Meeting opens – brief welcome	Jeff Loveday – Chair of Governing Board
Executive Members Opening Remarks <ul style="list-style-type: none"> <li>• Introduction to the Panel</li> <li>• Short statement about background</li> </ul>	County Cllr Patrick Mulligan
Presentation <ul style="list-style-type: none"> <li>• The proposal</li> <li>• Background to the proposal</li> <li>• Pupil numbers</li> <li>• Finances</li> <li>• Local Schools</li> <li>• Local Housing</li> <li>• Catchment area</li> <li>• How can people comment</li> </ul>	Andrew Dixon – Strategic Planning Manager NYCC
Question and Answer Session	County Cllr Patrick Mulligan
Meeting Close	County Cllr Patrick Mulligan

### 1. Welcome

Andrew Dixon, Strategic Planning Manager at NYCC welcomed everyone to the meeting. Andrew Dixon invited Jeff Loveday Chair of Governors, Kell Bank CE VC School to open the meeting.

### **Chair of Governors Kell Bank CoE VC School opening remarks**

Jeff Loveday said the public meeting tonight was to discuss the consultation on the proposed closure of the school which followed a request from the School's Board of Governors in September 2020. A request that was very difficult to make and heart rendering. It is important we hear what everyone has to say as part of this public consultation tonight and from this point the LA will take comments, read, analyse and make deliberations after the (closing date of) 21 December 2020. Jane Wood, Executive Headteacher at the School was asked to identify herself to everyone as part of the Teams meeting. Jeff invited Cllr Mulligan to speak.

### **Executive Member opening remarks**

County Councillor Patrick Mulligan introduced himself and noting this was the second public meeting. He introduced the rest of the panel, noting Richard Noake was representing the Diocese of Leeds. The meeting was supported by three LA Officers; Andrew Dixon, Strategic Planning Manager, Matt George and Sue Turley, Strategic Planning Officers.

Cllr Mulligan noted the meeting would be recorded. It would be helpful if attendees could keep their cameras on for the 'Q&A' part of the meeting. He encouraged everyone to contribute in the meeting.

## **2. Presentation**

Andrew Dixon explained the purpose of the meeting was to consider the proposal that Kell Bank CoE VC Primary School should close with effective from 31 August 2021. Andrew said the presentation would address school numbers, the financial position and places available locally at other schools.

The meeting was part of the process to consider the views of all those likely to be affected by the proposal and would be considered as part of the decision making process.

Andrew explained the background to the proposal, noting this was the second meeting having held a previous public consultation meeting on 17 November 2020.

Ofsted last inspected the school in October 2013 when there were 45 pupils on roll. All judgements at that time were 'Outstanding'. Andrew highlighted the consultation was not about school standards, however, increasingly low numbers attending make it difficult to maintain quality and breadth of education.

Andrew talked through the slide relating to pupil numbers. The school's current capacity is for c50 pupils. Numbers on roll have been reducing since 2014. Housing growth in the local area is not expected as part of the Local Plan and therefore not in any significant numbers in the school's catchment area. Pupil numbers over time have reduced year on year, from 39 in 2014 to 15 in September 2019. Currently there are 6 pupils on roll, 4 pupils in KS1 and 2 in KS2 (Year 6) who will leave the school for secondary education at the end of this academic year.

In relation to the local primary aged cohort (number of children of primary age who lived in the school catchment area and identified through their attendance at a NY school), there were 11 pupils of primary age in the October 2019 Census and 8 of those pupils attended the school at that time. Andrew noted for added context, that

with around 113 residential properties in the rural catchment area, using the LA's formula for assessing the potential primary pupil yield (1 primary aged pupil generated for every 4 dwellings), this would yield around 28 pupils. Currently, from the 113 existing residential properties, there were only 11 children.

Pupil recruitment efforts had taken place through publicity through a private nursery, estate agents, positive press coverage celebrating the success of the school, signage locally and school positively involved in community projects.

School projections revealed that In year deficit projections of £17k would occur in 2020/21, £17k in 2021/22 and rising to £30k in 2022/23, leading to a cumulative deficit of £49k in March 2023. These forecasts were based on pupil number assumptions of 16 in the current 2020/21 and 13 in 2021/22, numbers are now significantly lower.

School governors had attempted to bring the school into a sustainable position through financial strategies. There is an Executive Headteacher arrangement in place at the school and efficiencies through a collaboration with two other local schools have been maximised. It is not a formal federation under one single governing body but the school has sought and achieved financial efficiencies through this collaboration.

There are several local schools in proximity to Kell Bank CE VC with Masham School the nearest at 2.8 miles (distance from school to school). The school is in a primary collaboration with Snape Community and Thornton Watlass CE primary schools a little further away but with established links. The nearest alternative school is at Masham CE VA with a total pupil roll of 121. 43 pupils (37%) attend from outside the Masham school catchment area (October 2019 census figures). The primary aged cohort (number of children of primary age who lived in the school catchment area and identified through their attendance at a NY school) for Masham is 85 and the primary aged cohort for Kell Bank is 11. This would equate currently to 96 primary aged pupils and Masham school's capacity is around 116. There are three year groups with 20 on roll at Masham School and other year groups below the Published Admission Number (PAN), which is 20.

In the event of closure of Kell Bank CoE VC School, the proposal is that Masham School should become the catchment school for the area currently served by Kell Bank School and this would be effective from 1 September 2021. Andrew said NYCC would welcome comments on the closure proposal and the catchment arrangements going forward.

Andrew highlighted that the LA would ask that parents familiarise themselves with admission arrangements for other schools and noting that Voluntary Aided schools and Academies are responsible for their own admission decisions.

Advice and assistance for the remaining pupils at the school will be available at any time through NYCC staff based in Harrogate. Pupils remaining on roll following a decision on closure, will be offered places at alternative schools, with places available in line with parental preference wherever possible. Assistance with transport would be provided to children who were eligible where this involves travel beyond 2 miles (or 3 miles for those aged 8+) to the nearest catchment school or nearest school to home address.

School staff will be supported throughout the process. There will be a parallel staff consultation. Andrew noted there was Trade Union representation at the meeting tonight. The governing body would remain in place through to the implementation of the decision, and if a closure decision was made, the governing body would be dis-established in August 2021.

The School buildings and School site are owned by the Diocese. The playing field is owned by NYCC. Future use would be a matter for the Diocese and NYCC. Decisions about the future use would be taken after determination of the closure proposal.

Andrew asked Richard Noake to speak from a Diocese perspective regarding the current situation.

Canon Richard Noake, Director of Education, CoE Diocese of Leeds, thanked Andrew and said the Diocese is large and Kell Bank CoE VC is one of the 239 schools in the Diocese. The Diocese is the religious authority, the School is a church school.

The Diocesan Board of Education is a Statutory Board and sits alongside the LA as the other statutory partner in the decision making processes around schools and clearly involved when consulting on a proposed school closure. The Diocese is in listening mode as at the last consultation meeting and keen to hear views and concerns and to what the outcome might mean for the School. Noting Kell Bank School CoE VC is celebrating 200 years, making it one of the earliest schools. The CoE set up the National Society in 1811 and every church school after that time was created to serve the needs of the local community and Kell Bank has clearly achieved that and everybody should be very proud. Noting the Ofsted inspection was very strong, it is not about standards but sustainability due to low numbers and little indication they will increase over time. The Diocese will work in partnership with the governing body who have asked for this consultation and that they are part of the process.

Andrew Dixon outlined the next steps and highlighted:

- The consultation had been extended and now runs until the 21 December 2020 (previously 14 December 2020) without making any impact to the existing timeline and encouraged responses to the consultation, written or online.
- Complete form – written hard copy posted or online survey through the NYCC website survey.
- County Council Executive considers responses to the consultation on 26 January 2021 plus the records of the two meetings. If it decides to move to the next stage, there is a further four week representation period. The date of 23 March 2021 is scheduled for a decision to be taken by the Executive. It is important that this date is prior to Easter to ensure a full term's notice for both parents and staff. In the event of a closure decision being taken, the school would close at the end of August 2021.

The formal presentation ended and Cllr Mulligan asked for questions and for people to identify themselves when asking a question or commenting by raising the hand icon within the Microsoft Teams function.

### 3. Questions and Answers Chaired by Cllr Patrick Mulligan

Cllr Mulligan thanked Andrew Dixon and Richard Noake.

Paul Busby, National Education Union, North Yorkshire, commented that it was always a sad occasion to witness the demise of a school and paid tribute to the professionalism and standard of teaching. He wished all the staff well moving forward.

Cllr Pickard said that he had lived in the area a long time and can see the economic case with only 6 pupils remaining at the school and that children would be welcomed into Masham School's catchment area. It was noted there were only 4 pupils to relocate and that if there ever was a time to do it, it is now and he could not see the economics could be turned around to return to 40 pupils.

David Cleaves, Vice Chair of Governors Kell Bank School and Governor Masham CE VA School, said following on from Cllr Pickard's comments, at a recent governing board meeting, thought had been given to those children in the Kell Bank area starting school in the next year or so and unfortunately they could not identify any such children.

Cllr Grainger, said a fellow Parish Cllr had noted that an application for 60 houses has recently been passed and would probably start to be developed in the next year and other developments would follow. It was understood that Masham School was at capacity, and asked the question if it teaching the whole reception at both schools housed at Kell Bank School had been considered to free up space for other year groups at Masham School. Adding it will be inevitable that there will be a need for a further school possibility at Masham in the future.

Andrew Dixon said there were two parts to answering the question. Firstly, how strong do we see the likelihood of growth in Masham and the need for additional school places. The LA is aware of the planning application for 60 houses and a further application. There might be some growth of 80-100 houses and the LA monitors this through the Local Plan. The most important factor is that Masham School currently accommodates a lot of pupils from out of its catchment area and if the proposal came to pass, pupils from Kell Bank area would get priority for places at Masham school going forward. Although Masham School appears full, it is not full with pupils from its own catchment area as stated in the presentation. The LA will carefully monitor any housing growth but do not see in the short/medium term that there will be a shortage of places from pupils from the Masham area. Secondly, the practicalities of a split site arrangement is in the LA's experience only something that is progressed out of necessity and in relation to the first part of the question, the LA does not see the necessity at this point in time. Working across a split site can be less efficient for staff and not always favoured by parents, with different ages of pupils at different sites introducing inefficiencies to the day to day running of the school but this model does and can happen successfully.

Jeff Loveday said he wanted to reassure tonight's meeting that the governing body had canvassed endlessly when new residents moved into the area with children, with estate agents and the local Swinton estate, all of which had yielded little results to date, all of this is still ongoing as the School is not closed yet.

David Cleaves acknowledged the meeting had discussed finance and efficiency but there is a need to bear in mind the education of the children in terms of low numbers

that are not necessarily been well prepared for moving to a larger environment and receiving stimulus of a larger number of their peers, this is not a criticism of the teaching. The children would be transitioning from a group of 4/6 pupil to classes of 30 plus at secondary and this would be a big shock to them. We have to ask in terms of the wider social aspects of education, is Kell Bank CoE VA School able to provide that to the quality we would wish for.

Cllr Mulligan – acknowledged that was a good comment. Education is more than text books, it is also emotional, spiritual and social development.

Cllr Gregg added there is some significant housing development to happen in Masham, and asked what happens to the building at 31 August 2021, if the school is closed, is it disposed of straight away? Bearing in mind the developments in Masham would it not be possible to mothball the school until it might be needed in the future? Brian added, we don't know how many families will come with the new developments and will Masham School be able to cope?

Richard Noake responded to this question but said he could only speak generically about the closure of the building. He noted the Diocese are the custodian trustees for the buildings and when a school closes, the Diocese is liable for any costs of keeping that building going and that he did not know where that funding would come from to keep it mothballed. Adding, it takes some time to dispose of a building due to legal requirements. In relation to any of the assets, resources raised by disposal would not be the Diocese's money, it would be ringed fenced for church school education in other contexts and even possibly for use at Masham School, if needed for example to fund capital works from the funds generated from the sale, but he emphasised this could not be promised. At a generic level, you look for the next best thing that could be done to support education and that would be to realise the funds generated from the sale of the property.

Paul Busby asked if any potential sale would be with or without planning permission?

Richard Noake replied that it is not usual to apply for planning permission, it is to dispose of the asset as quickly as possible, it would not normally seek to do that.

A member of the public asked if the school building could be used as an education facility like Bewerley Park or East Barnby? Adding children from the cities could visit the countryside and perhaps stay for a week using all the activities in the local area. This could support retaining the building for future use as an overflow for Masham School.

Richard Noake responded saying an organisation might want to put a proposal forward but as a Trustee of Marrick Priory which is an outdoor activity centre this and all of other outdoor organisations are struggling for funding. Richard confirmed the Diocese does not have funding to run outdoor centres.

Cllr Pickard said he was leading on the development of the Neighbourhood Plan and looking forward 10 years in the future, there might be up to 160 houses in Masham. Therefore in line with the formula of 1:4, that would generate 40 additional pupils. This number of additional pupils would take Masham School and the catchment of Fearby and Healey over their threshold, with no pupils able to attend from outside of the area. Looking at the prospect of someone funding a new site for Masham School and knowing the current site is very tight, if a new alternate school site in or on the

outskirts of the town was identified as part of a developing Neighbourhood Plan, what would the LA's view of this be?

Andrew Dixon replied, adding if you took the longer term view and combined this with what we know is a tight site at Masham School, he could see a scenario where there could be difficulties. However the normal pupil yield may not be realised and there is some evidence that this it is not always the case in rural areas. Whether a small development site could generate the availability of an alternative local school site he would not be sure. That would be in the gift of the site promoter which would be over and above their normal responsibilities to mitigate the development. There are lots of uncertainties looking that far ahead and it does not change the known position and the situation of a high proportion of out of area children attending Masham School. 'Maybe' is the overall answer to the question.

Paul Busby said following on from the comments made regarding improving the facilities of Masham School, it seems a tragedy for education and the community if a developer was to snap up the buildings and get planning permission as any profit could help support and benefit a new school fit for purpose in Masham.

Andrew Dixon responded saying that covering the cost of delivery of a whole new school building is very unlikely from the sale of an existing school site and would need significant future capital investment from other sources. Taking note of the question of planning permission, it is a small site and unlikely to realise sufficient funding in terms of a rebuild but improvements that Richard Noake alluded to maybe possible.

Cllr Pickard asked a question on behalf of those parents with children currently at Kell Bank School in relation to the priority given to admissions if the Masham catchment is enlarged to include Fearby and Healey. Do pupils with siblings out of the area get priority, or pupils in Fearby or Healey area?

Andrew Dixon said that Masham is a VA School and has its own admissions policy.

David Cleaves responded saying the governing body at Masham School had looked at this recently, the admissions policy gives priority to local children over and above siblings. As a Voluntary Aided school they have more authority than a Voluntary Controlled school. Governors have always seen Masham School CoE VA as a community school for local children and taken a decision to give priority to local children. The tie-break is the proximity to the school. David asked a further question regarding Section 106 funding and what a local school could look forward to getting from any new development to help with increased numbers?

Andrew Dixon replied saying it is a planning obligation through a Section 106 agreement. The LA has a policy based on DFE guidelines which allows the LA to request developer contributions where it can be seen that the pupil yield from a developer could not be accommodated within a school's existing capacity. It is not about correcting pre-existing problems at a school. Sometimes a flexible agreement in terms of wording can be secured for the school to use the contribution more widely but this is not always the case, and added it is normally around adding capacity at a school and linked to an increased PAN. The LA could make a case in order to obtain the most flexible use of the funding but the developer may insist through the negotiation of the agreement, noting the law is on their side, that it can only be used to increase capacity at the school.

Cllr Gregg stated it was an inevitable result and obvious that the catchment area for Kell Bank has not got the children. Stating many of the small farms have gone and had families attached to them. A lot of the houses in all the villages and outlying parishes are bought by more mature people and some are holiday cottages. He added there is leverage with developers building 80 plus houses. He is concerned about the closure of Kell Bank School and would be less concerned with a brand new school in Masham that nobody could object to. With this development in mind and the fact Masham is working hard to develop its own Neighbourhood Plan, there is an opportunity not just to upgrade facilities at Masham CoE VA but could go further to obtain a new school site. There is a site there that could be developed into something else. Masham is a great place to live with a brewing industry and hopefully more jobs and he would not like to see it become a retirement village.

Andrew Dixon replied saying with the size of the proposals in the current local plan it would be beyond the obligations of the developers/land owners to offer up a new school site, alongside the capital considerations that we have covered earlier.

Richard Noake added that he was encouraged by the vision of Masham. It is a thriving community with a lot going for it and the views of people in the meeting cannot be underestimated and it is important that everyone works together to safeguard the future of Masham.

Jeff Loveday commented that it was interesting to hear about the future of Masham town but the meeting tonight is about the consultation around the proposed closure of Kell Bank CoE VC School. A lot of the discussion is for a later date in terms of the future of Masham. He stated that the governing body tried its best and it is very sad there are not the parents and therefore the children in the area.

Richard Noake said he agreed and that no decision had been taken yet but if a decision for closure is made, the Diocese will work with the school in terms of what a very positive end looks like in terms of celebrating 200 years of the School.

Jane Wood Executive Headteacher said they are desperately keen to mark the 200 years of the School and to embrace the community with the celebrations of Kell Bank and urged people to get in touch with School.

Jeff Loveday wanted to back up what the Headteacher has just said and acknowledged the work of the Community Office in publicising their situation and the consultation. Jeff said they were hoping to form a committee to publicise the 200 years celebration of the school and there will be a lot to read about in the local press.

Cllr Mulligan, after receiving no further comments from the public, thanked everyone for attending and understood the difficulties presented at the meeting and said that all comments and questions had been noted. Everyone is passionate about the School and noted that this had been represented very well. Whatever the outcomes of the consultation, the history and achievements of what the school has achieved throughout its 200 years will be celebrated.

The meeting closed at 20:05