

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

Proposal, published by North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, to discontinue:

Weaverthorpe Church of England Voluntary Controlled Primary School, Weaverthorpe, Malton, North Yorkshire, YO17 8ES from 31 August 2022.

Weaverthorpe Church of England Voluntary Controlled Primary School is a 3-11 Church of England Voluntary Controlled primary school in North Yorkshire.

Implementation

It is proposed to close the school from 31 August 2022.

Reason for closure

Weaverthorpe CE VC Primary School, in the Ryedale area, was Inspected by Ofsted in January 2020 and found to be 'Inadequate'. The inspection report was published by Ofsted in July 2020.

Any maintained school that is judged inadequate by Ofsted is required to become a sponsored academy. The Regional Schools Commissioner has been unable to secure an Academy Trust to sponsor the school due to viability concerns. Where a school would not be viable as an academy, it is expected the local authority will close the school and that the Secretary of State can direct them to do so if necessary.

Formal partnership with another local maintained school was explored as an option to sustain Weaverthorpe School both educationally and financially. Local Authority officers and the Diocese of York (the Church body with responsibility for the school) worked together to discuss the situation with the potential partner schools in the local area during the summer and autumn terms of 2021. None of those discussions resulted in an acceptable partnership proposal for the future of Weaverthorpe School.

It is considered highly unlikely that a partnership arrangement with another local school, such as federation or amalgamation, can now be identified. The School is in a vulnerable position for multiple reasons, not least because the temporary leadership arrangements cannot continue beyond the end of the current academic year. The interim executive board of Weaverthorpe CE VC Primary School decided, with regret, that in line with the advice of local authority officers they would ask the County Council to consider a consultation on the future of the School.

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 are currently 21 pupils on roll at the school of compulsory school age, plus 2 in nursery. Nine of the 21 pupils are female, and 12 pupils are male.

	Pupil numbers	PAN
Reception	0	7
Year 1	4	7
Year 2	2	7
Year 3	3	7
Year 4	1	7
Year 5	5	7
Year 6	6	9
Totals	21	

The school's age range is 3-11 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 around 49 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.

- a) No interim arrangements have been necessary

The nearest school to Weaverthorpe, 2.5 miles from Weaverthorpe CE VC Primary School, is Luttons Community Primary School, which has places available in all year groups. This school has the capacity to take any additional pupils as a result of the proposed closure, and has indicated a willingness to do so.

It is proposed that the catchment area of Luttons Community Primary School is expanded to include the current Weaverthorpe School catchment area. There is an

area of Weaverthorpe's catchment area that is currently shared with Hertford Vale CE Primary School and it is proposed that area (Butterwick) remains part of Hertford Vale's catchment area. The York CE Diocese have indicated early stage support for this approach.

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 and Academy schools, the local 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.

- b) This is a mainstream primary, and therefore, not a school that is reserved for providing to pupils with special educational needs
- c) This is a mainstream school, and therefore, not a special school that is reserved for providing to pupils with special educational needs

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.

In some communities the school is the only meeting space. Weaverthorpe has a Village Hall with hall, kitchen, toilets and a small meeting room. A hearing loop, PA system, large screen and Wifi are available. The existing school facilities are not currently used by the community.

The Weaverthorpe school buildings and playground are owned by the Diocese of York and the school playing field is owned by the County Council. Any decisions about the future of the site and buildings would be taken separately from the decision on whether to close the school.

Whilst the impact on the wider economic and social sustainability of the community is an important consideration, the key consideration is to determine whether the proposal is in the best interests of children's education.

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.

Weaverthorpe CE VC 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 closure of the school on the local community;
- the proportion of pupils attending the school from within the local community i.e. is the school being used by 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;
- whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term);
- 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; and
- any alternatives to the closure 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'

The proportion of pupils attending the school from within the local community i.e. is the school being used by the local community

As of October 2021 there were 32 Primary aged children who were living in the catchment area of Weaverthorpe School and attending a North Yorkshire School. Of those, 23 were attending Weaverthorpe and 9 were attending elsewhere.

The availability, and likely cost to the LA, of transport to other schools

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. The County Council's Home to School transport policy sets out that free school transport will be provided to the catchment school or nearest school to a child's home address if it is over the statutory walking distances set out by law. This is:

- Two miles for children under eight years of age;
- Three miles for children aged over eight; or
- where the route to the catchment or nearest school is not safe to walk accompanied by a responsible adult.

If the nearest catchment or nearest school is full, transport will be provided, in accordance with the authority's transport policy, to the nearest school with places available.

Children from low income families (children entitled to free school meals or whose parent are in receipt of the maximum level of Working Tax Credit) have additional eligibility criteria for additional home to school transport and details are available on the County Council's website at <http://www.northyorks.gov.uk/article/26071/School---travel-support>

Transport to Luttons Community Primary School

The following section only applies in the event that Weaverthorpe CE VC Primary School does proceed to closure in August 2022, and that Luttons CP School becomes a catchment School for the Weaverthorpe area from September 2022.

The LA Road Safety team have assessed the route between Weaverthorpe village and Luttons CP School and it is considered to be a safe walking route (child accompanied as necessary) based on the standard criteria applied to all assessments. However, having considered the matter the County Council is minded to apply discretion as allowed under the Home to School Transport policy in the circumstances of a school closure.

It is proposed that all existing Weaverthorpe School pupils who live in the School's existing catchment area and beyond 2 miles from Luttons CP School would be deemed to be eligible for free home to school transport to Luttons CP School on their transfer in September 2022. This proposed approach would also apply to any new starters in the Reception year at Luttons CP School in September 2022 who meet the same distance and residency criteria. This would provide support to the small number of families who are affected by the closure and who would otherwise not be eligible for transport assistance to Luttons CP School based on the criteria set out above.

Eligibility would continue for the length of the child's attendance at Luttons CP School, unless there were to be a future change of address for the family that meant the distance and residency criteria were no longer satisfied.

Arrangements for home to school transport will be confirmed at the end of the statutory process following consultation.

Whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term)

The view of the Local Authority is that there are sufficient places in the local area which can accommodate displaced pupils.

A preference exercise has been undertaken for existing pupils in Reception to Year 5 and all have been provisionally allocated a place (in the event of closure) at their preferred school for September 2022. A small number of parents have chosen to transfer their children to a new school on an earlier date.

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

It is not considered that there would be significant additional car use given the small number of pupils who would be affected by the closure.

Any alternatives to the closure of the school

The Regional Schools Commissioner has been unable to identify a MAT that would be prepared to sponsor the school due to viability concerns. These concerns related to the low pupil numbers and the associated financial challenges that presents.

A potential sponsor MAT trust could not be identified because they did not consider Weaverthorpe to be viable as a stand-alone school. It was therefore clearly important to explore if a formal partnership with another local maintained school could be an option to sustain Weaverthorpe School both educationally and financially. Local Authority officers and the Diocese of York worked together to discuss the situation with the potential partner schools in the local area during the summer and autumn terms of 2021. The schools contacted by the LA were the Federation of Luttons and Sherburn CE plus Hertford Vale and West Heslerton schools. These schools were unable to help Weaverthorpe at this time. The York Diocese also approached the Federation of Sledmere and Wetwang schools in the East Riding about the potential for collaboration with Weaverthorpe. Ultimately, none of those discussions resulted in an acceptable partnership proposal for the future of Weaverthorpe School.

It is considered highly unlikely that a partnership arrangement with another local school, such as federation or amalgamation, can now be identified. The school is in a vulnerable position for multiple reasons, not least because the temporary leadership arrangements cannot continue beyond the end of the current academic year.

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.

Weaverthorpe is a Church of England Voluntary Controlled Primary School. The LA is under an obligation to consider the impact on the proportion of church places before it determines the outcome of school closure proposals.

The nearest alternative Church of England School is Sherburn CE VC Primary School which is situated 4.1 miles from Weaverthorpe School. Sherburn CE VC Primary School is federated with Luttons Community Primary School.

Weaverthorpe is situated close to the county boundary with the East Riding. Sledmere CE VC Primary School is situated within five miles of Weaverthorpe.

The Diocese is supporting the LA with the consultation and has expressed no specific concerns about the impact on proportionality of places in this area.

Maintained nursery schools

Not applicable

Sixth form provision

Not applicable

Special educational needs provision

The existing provision at Weaverthorpe CE VC Primary School 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 the nearest school, parents are normally responsible for making transport arrangements.

Parents were, and 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 times for children living within the current Weaverthorpe CE VC Primary School catchment area to other nearby primary schools would be well within these guidelines. The nearest schools are:

- Luttons Community Primary School which is situated 2.5 miles from Weaverthorpe School.
- Sherburn CE VC Primary School (Federated with Luttons CP School) is the nearest alternative Church of England Primary School, which is situated 4.1 miles from Weaverthorpe School.
- Sledmere CE VC Primary School and Wold Newton Foundation School are both within the East Riding of Yorkshire and both situated within six miles of Weaverthorpe.

Pupils would be eligible for travel arrangements from NYCC in line with the transport policy, and as specifically proposed both in this paper and in the report to Executive on 22 March 2022.

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 Strategic Planning - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, or by email to schoolorganisation@northyorks.gov.uk by 29 April 2022.

Consultation

The decision to consult on closure was taken by the Executive Member for Schools on 7 December 2021 following a request from governors. 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 and a list of the consultees is included as Appendices 2 and 3 respectively. The consultation period ran from 7 January 2022 to 18 February 2022. A virtual public meeting was held online on 20 January 2022, notes of the meeting are attached as Appendix 4. There have been eight consultation responses received (Appendix 5).

Appendices

- Appendix 1b: Statutory Notice**
- Appendix 2: Consultation Paper**
- Appendix 3: List of the Consultees**
- Appendix 4: Notes of the Public Meeting**
- Appendix 5: Consultation Responses**
- Appendix 6: FAQ document**
- Appendix 7: Equality Impact Assessment**