

NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

19 APRIL 2022

**FUTURE CATCHMENT AREA DECISION ON THE CLOSURE OF  
BALDERSBY ST JAMES CE PRIMARY SCHOOL**

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Executive Members of the outcome of consultation on proposals to change the local catchment area arrangements following the closure of Baldersby St James CE Primary School. Further, to seek approval that the catchment area of Dishforth CE Primary School should be expanded with effect from 1 September 2022 in accordance with the published proposals.

2.0 EXECUTIVE SUMMARY

- 2.1 During 2021 Hope Sentamu Learning Trust, supported by the Department for Education, proposed the closure of Baldersby St James Primary School.
- 2.2 A Listening Period was conducted by Hope Sentamu Learning Trust in the Autumn. On 12 October 2021 the Executive considered a report on the situation and approved the Council's formal response. This was to recommend that the Secretary of State and the Regional Schools Commissioner consider deferring closure of Baldersby St James Primary School for a period of 12 months for further engagement between the community and Hope Sentamu Learning Trust, to see if a credible business plan could be created. The listening period was extended and further engagement undertaken however, in late January 2022, the Secretary of State confirmed that Baldersby School will close in August 2022.
- 2.3 The October 21 Executive meeting agreed that in the event of closure the Council would consult on changing the local catchment area arrangements that would apply from September 2022, such that the catchment areas for Carlton Miniott Primary Academy, Dishforth CE Primary School and Topcliffe CE Academy would all be expanded from that date.
- 2.4 The consultation period was seven weeks from 11 February 2022 to 1 April 2022. The consultation was undertaken by the County Council in conjunction with Elevate Multi Academy Trust who operate both Carlton Miniott and

Topcliffe schools. By the closing date there had been no responses to the consultation.

- 2.5 The Executive agreed a model for making decisions on school organisation proposals on 25 September 2007. Under this model, school organisation decisions, for which the decision-maker is the Local Authority, will be taken by the County Council's Executive, or if there are no objections to the proposal, the decision is delegated to the Executive Members for Education and Skills.

### 3.0 BACKGROUND

- 3.1 The LA is the admission authority for Dishforth CE School, but Carlton Miniott and Topcliffe schools are their own admission authorities under Elevate MAT. This means there are different processes required to adopt the revised catchment area arrangements. The County Council are required to determine the proposals for Dishforth CE Primary School. The Elevate Trust Board would consider the proposals for Carlton Miniott and Topcliffe schools. NYCC and Elevate would then each separately apply for a specific variation to the published School Admission Arrangements for 2022/23 as set out in sections 3.6 and 3.7 of the School Admissions Code. The Council would apply to the Schools Adjudicator, and the Trust to the Secretary of State.

- 3.2 The closing school is situated in Baldersby St James. The two main population areas within the catchment are Baldersby village to the north of the School, and Rainton village to the south. The catchment area for the School is bordered by the catchment areas of Carlton Miniott, Dishforth CE and Topcliffe Schools to the north, south and east of the School. The western boundary of the School's catchment is formed by the A1, beyond which are the catchment areas for Burneston CE Primary School and Sharow CE Primary School. The local area maps are provided at Appendix 1.

### 4.0 THE PROPOSALS

- 4.1 The October 2021 report to Executive considered information on the travel distances from each main location within the Baldersby School catchment area, together with the number of children who were resident in those areas. They agreed the detail of the proposals for consultation in the event of a confirmed closure decision. Dishforth CE School and Elevate Multi Academy Trust supported these proposals.

4.2 The specific proposals were that from September 2022:

- The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village would become part of the catchment area for Carlton Miniott Primary Academy
- The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village would become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

4.3 These proposals were communicated to the parents of children at Baldersby St James School in Autumn 2021. This was prior to them making their provisional applications for alternative school places that would apply from September 2022.

## 5.0 CONSULTATION UNDERTAKEN

5.1 The consultation was live on the NYCC website from Friday 11 February to Friday 1 April. At the start of the period all stakeholders including the local schools and early years providers were notified of the consultation by email. The consultation document is provided at Appendix 1. Parents at the four key schools namely Baldersby St James, Carlton Miniott, Dishforth CE and Topcliffe were notified of the consultation by their school via their usual communication methods. The consultee list is provided at Appendix 2.

5.2 By the closing date of 1 April 2022 there had been no responses to the consultation. This would indicate acceptance of the proposals by stakeholders.

## 6.0 REGULATIONS AND GUIDANCE

6.1 The school admission arrangements for 2022/23, including catchment areas for the three affected schools, have already been determined in accordance with the required annual process. The procedure for amending admission arrangements following determination is contained in paragraph 3.6 the School Admissions Code 2021 which states:

*Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Schools Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in*

*circumstances. Such proposals must be referred to the Schools Adjudicator (for maintained schools) or the Secretary of State (for academies) for approval, and the appropriate bodies notified.*

6.2 If the proposals are approved the Council will apply to the Schools Adjudicator to vary the admission arrangements for 2022/23 in relation to Dishforth CE Primary School on the grounds of a major change in circumstances.

6.3 The outcome of the consultation and the Executive Member's decision will both be reported to Elevate Multi Academy Trust so they can take their required actions.

## 7.0 FINANCIAL IMPLICATIONS

7.1 There are potential financial implications for the Council in respect of additional home to school transport costs. This is always the case in the event of school closure, but varies depending on the numbers of pupils and the travel distances in each case. The Council are not currently operating any transport services to Baldersby School. The inclusion as future catchment schools of the nearest schools to Baldersby village and Rainton respectively should assist in limiting the future additional costs.

## 8.0 LEGAL IMPLICATIONS

8.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 set out the manner in which prescribed alterations could be made to maintained schools. The statutory guidance 'Making significant changes ('prescribed alterations') to maintained schools' was updated in October 2018. The guidance does not cover these specific circumstances where a change to determined school admission arrangements is required. Nevertheless, the Council (and Elevate MAT as partner to the proposals) have adopted the principles of the consultation requirements that are contained in the statutory guidance.

## 9.0 HUMAN RIGHTS IMPLICATIONS

9.1 There are no Human Rights issues in relation to this decision.

## **10.0 RECOMMENDATIONS**

That the Executive Member for Education and Skills determine that:

- i) from September 2022 the catchment area of Dishforth CE Primary School be expanded such that it includes the southern part of the Baldersby St James School catchment area (Rainton with Newby Civil Parish)
- ii) the necessary application be made to the Schools Adjudicator to secure approval for this variation to the admissions arrangements for 2022/23 in respect of Dishforth CE Primary School.

Stuart Carlton  
Corporate Director – Children and Young People’s Service

Report prepared by Andrew Dixon – Strategic Planning Manager

### Appendices

Appendix 1: Consultation document

Appendix 2: Consultee list

Background documents

Report to Executive, 12 October 2021.



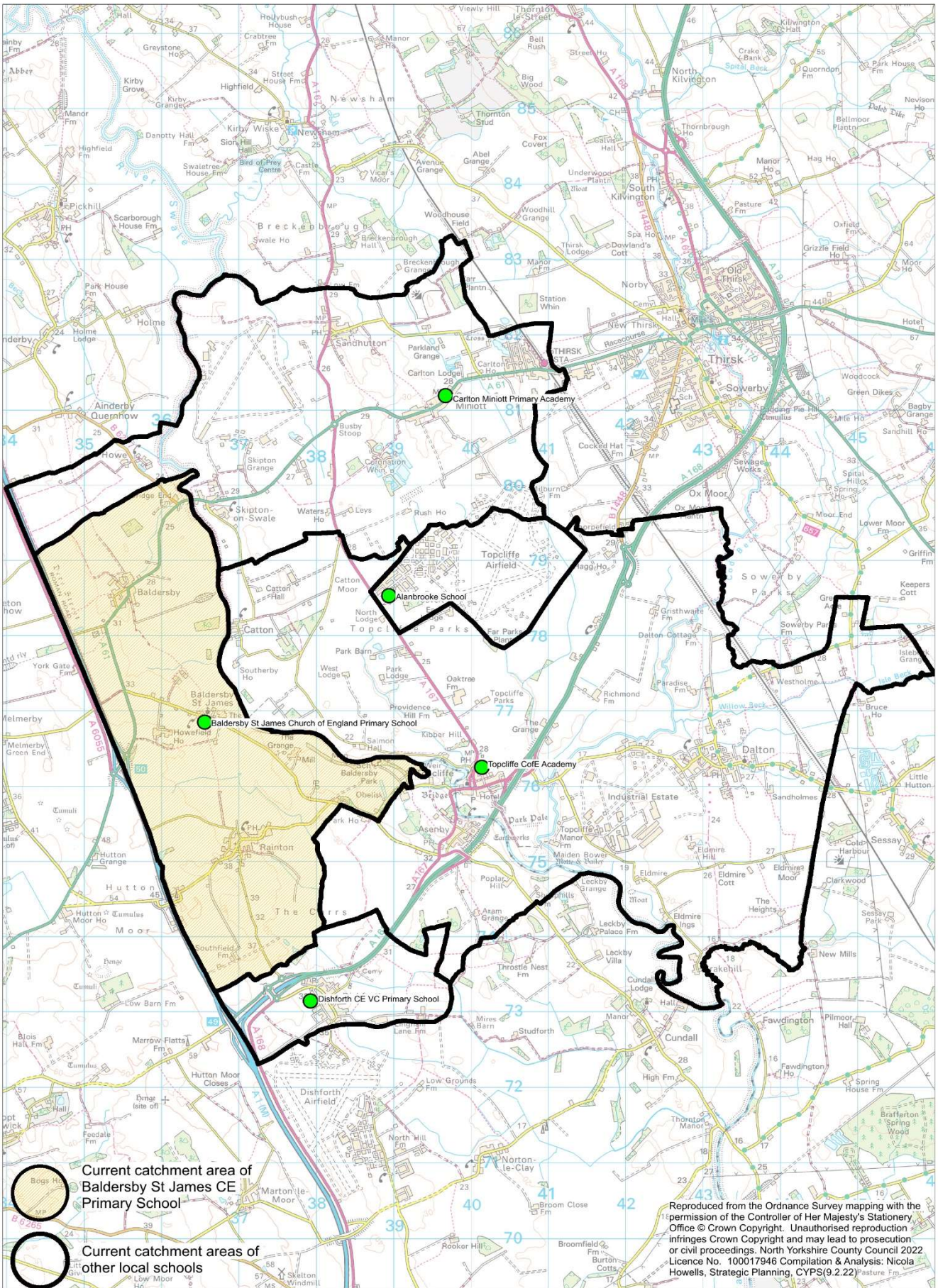
## **Closure of Baldersby St James Primary School – Consultation on school catchment areas**

During 2021 Hope Sentamu Learning Trust, supported by the Department for Education, proposed the closure of Baldersby St James Primary School. In late January 2022 the Secretary of State confirmed that the School will close in August 2022.

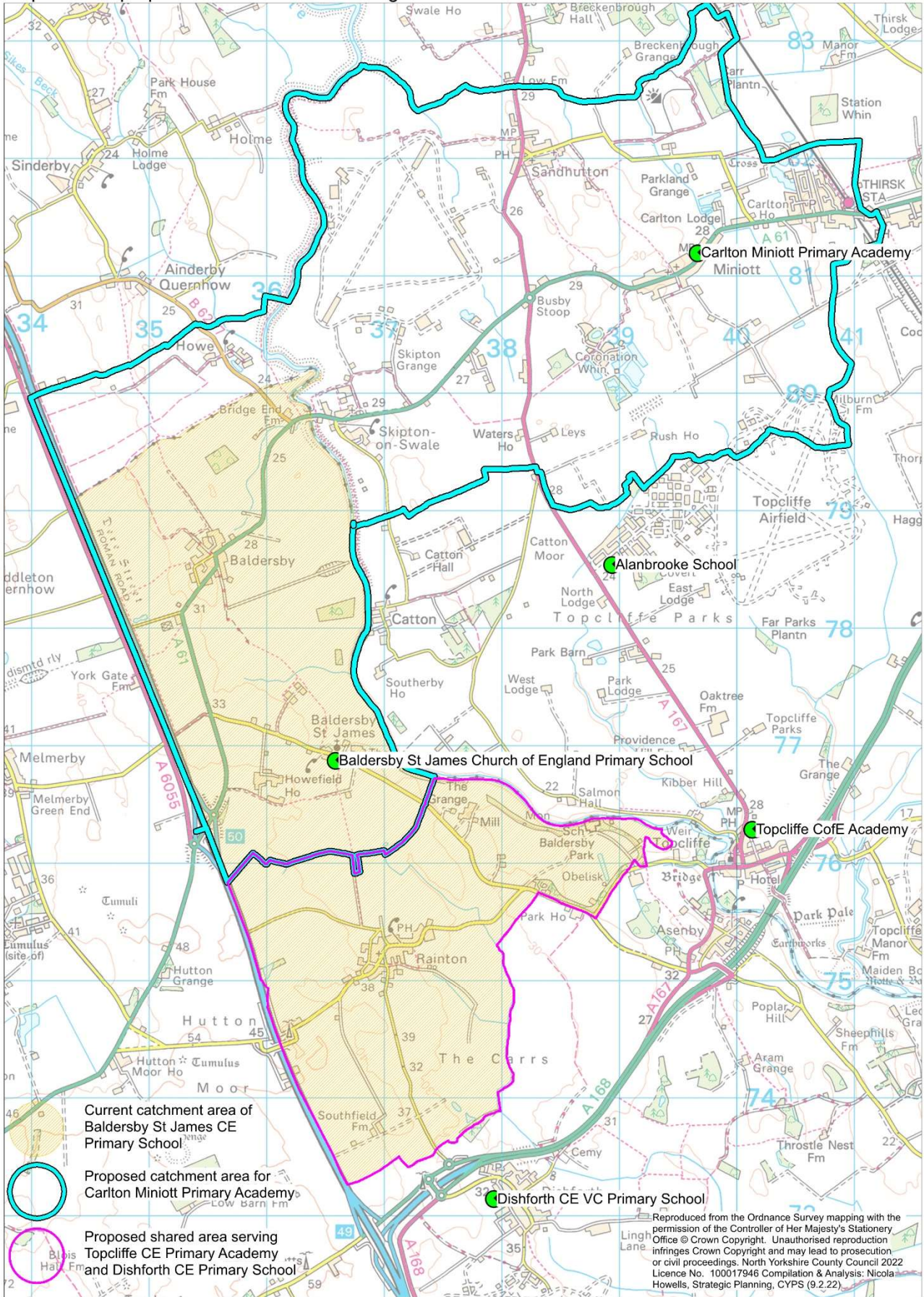
A Listening Period was conducted by Hope Sentamu Learning Trust in the Autumn. During this period the County Council confirmed that in the event of closure we would consult on changing the local catchment area arrangements that would apply from September 2022 so that:

- The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village should become part of the catchment area for Carlton Miniott Primary Academy
- The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village should become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

Map to show current catchment areas



Map to show proposed catchment area changes





A report containing information on local school capacity and pupil numbers was presented to the Council's Executive in October 2021 and can be found here: [Agenda for Executive on Tuesday, 12th October, 2021, 11.00 am | North Yorkshire County Council](#)

The County Council is the admissions authority for Dishforth CE Primary School, but Carlton Miniott and Topcliffe schools are their own admission authorities under Elevate Multi Academy Trust. This is therefore a joint consultation for both the County Council and the Elevate Trust.

Having considered the consultation responses, the County Council and the Trust will then each follow their own required process to vary the admission arrangements from September 2022. The County Council will apply to the Schools Adjudicator for final approval, and the Trust will apply to the Secretary of State.

We would welcome your view on the proposals by the closing date of 5pm on 1 April 2022. In your response, please confirm whether you agree with the proposals and provide any additional comments.

Responses to the proposals should be sent via email to [schoolorganisation@northyorks.gov.uk](mailto:schoolorganisation@northyorks.gov.uk)

**Baldersby St James CE Primary School – List of Consultees**

**Baldersby St James CE Primary**

Parents  
Staff and governors  
Chair of Governors

**Carlton Miniott Primary Academy**

Parents  
Staff and governors  
Chair of Governors

**Topcliffe CE Primary Academy**

Parents  
Staff and governors  
Chair of Governors

**Dishforth CE Primary School**

Parents  
Staff and governors  
Chair of Governors

**Elevate Academy**

**Local Authority – NYCC**

Cllr Gareth Dadd  
Cllr Margaret Atkinson  
Cllr Robert Baker

**Harrogate BC**

Cllr Bernard Bateman

**Hambleton District Council**

Cllr Dave Elders  
Cllr Gareth Dadd  
Cllr Peter Bardon  
Cllr Mark Robson

**Neighbouring Schools**

Alanbrooke Primary  
All Saints Catholic Primary School, a Catholic Voluntary Academy  
Brafferton St Peter's CE  
Burneston CE Primary  
Dishforth Airfield  
Keeble Gateway Academy  
Pickhill CE Primary  
Sessay CE Primary  
Sharow CE Primary  
South Otterington CE

Sowerby Primary Academy  
Thirsk CP  
Thirsk School

**Unions and Professional Associations**

NAHT  
NASUWT  
NEU (formerly NUT & ATL)  
VOICE  
ASCL  
UNISON

**Diocesan Director**

York Diocese

**Local Parish/Town councils**

Baldersby  
Rainton with Newby  
Sandhutton  
Skipton on Swale  
Carlton Miniott  
Dishforth  
Topcliffe  
Catton  
Dalton  
Asenby  
Eldmire with Crakehall

**Community Organisations**

Library Service

**Local MPs**

Kevin Hollinrake  
Julian Smith

**RSC**

**Secretary of State**

**Early Years Providers within 5 mile radius of Baldersby St James  
CE Primary School**