

# NORTH YORKSHIRE COUNTY COUNCIL

## THE EXECUTIVE

25 October 2022

### PROPOSAL TO CLOSE WOODFIELD COMMUNITY PRIMARY SCHOOL, HARROGATE

Report by the Corporate Director – Children and Young People’s Service

#### **1 PURPOSE OF REPORT**

- 1.1 To provide the Executive with information upon which to make a decision on proposals published by North Yorkshire County Council to close Woodfield Community Primary School in Harrogate from 31 December 2022, together with the future arrangements for the School’s current catchment area.

#### **2 EXECUTIVE SUMMARY**

- 2.1 On 24 May 2022 the Executive Member for Education, Learning and Skills gave approval for consultation on proposals to close Woodfield Community Primary School in Harrogate from 31 December 2022. The consultation commenced on 6 June 2022 and closed on 4 July 2022.
- 2.2 The Executive met on 19 July 2022 and considered the outcome of the consultation. They agreed to publish statutory proposals on 8 September giving 4 weeks until 6 October for representations to be made. The statutory representation period was subsequently extended by one week to close on 13 October 2022 due to the period of national mourning following the death of Queen Elizabeth II.

#### **3 BACKGROUND**

- 3.1 The Education and Inspections Act 2006 sets out the procedures for closing a maintained school. These are detailed in School Organisation regulations and guidance.<sup>1</sup> The regulations and guidance apply to Local Authorities and governing bodies proposing to close schools, and to Local Authorities (including the County Council’s Executive and Executive Members) acting as decision-makers.

#### **4 PROPOSALS**

- 4.1 North Yorkshire County Council proposes:
- To cease to maintain (to close) Woodfield Community Primary School from 31 December 2022.
  - Should Woodfield School close, the whole of the Woodfield School catchment area becomes a shared catchment area for both Bilton Grange Primary School and Grove Road Community Primary School.

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<sup>1</sup> School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and Department for Education statutory guidance Opening and closing maintained schools and Guidance for decision makers November 2019.

## **5 RESPONSES TO STATUTORY PROPOSALS**

- 5.1 The Statutory Proposals were published on 8 September 2022 with a representation period of 4 weeks (Appendix 1). The public notice, placed on the school gates and in the Harrogate Advertiser newspaper, invited written objections or comments to be submitted by 6 October 2022. The statutory representation period was subsequently extended by one week to close on 13 October 2022 due to the period of national mourning following the death of Queen Elizabeth II. Two responses to the statutory proposals have been received (Appendix 2).
- 5.2 One response from the local Member commented on the availability of school places in the local area, the school's progress since its Ofsted judgement, the alternative options explored for the school, the need to learn lessons from a social media incident and the continuing need for a school in the community. The other response commented on the low numbers at the school and attending the public meeting.
- 5.3 An analysis of the sufficiency of places in the local area using pupil forecasts to 2032 formed part of the consultation documents and is also included in the statutory proposals in Appendix 1. It is acknowledged that there is capacity within other schools in the local area, although not in every year group in every school. The improvements that the school has made since its Ofsted judgement in January 2020 have been recognised by Ofsted in subsequent monitoring visits, but unless the directive academy order is removed, or an academy sponsor can be found, government legislation requires the school to close. Any decisions about the future use of the school premises would be taken after any closure decision.

## **6 FINANCIAL IMPLICATIONS**

- 6.1 School revenue and capital funding  
Should Woodfield School close from 31 December 2022, any deficit on the Woodfield School budget on that date would be absorbed by the County Council. Any surplus revenue or capital balances would be made available to the receiving school(s) in line with the Closing School Accounting Policy.
- 6.2 Transport costs  
If the school closed, there could be a potential additional cost to the Local Authority in providing transport to other schools. All addresses within the Woodfield School catchment area would, however, still be within the statutory walking distance to either Grove Road or Bilton Grange School. Free home to school transport would be provided for entitled pupils in accordance with the revised catchment area arrangements in accordance with the County Council's Home to School transport policy.

## **7 LEGAL IMPLICATIONS**

### REGULATIONS AND GUIDANCE

- 7.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance (Appendix 3) produced by the Department for Education. Careful regard has been had to these provisions.

### PRELIMINARY CHECKS

- 7.2 The guidance requires that the Decision Maker must consider, on receipt of each proposal, whether any information is missing; whether the published notice of the proposal complies

with statutory requirements; whether the statutory consultation has been carried out prior to the publication of the notice; and whether the proposal is related to other published proposals.

- 7.3 Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:
- all information required has been supplied;
  - the published notice complies with statutory requirements;
  - statutory consultation has been carried out prior to publication of the notice;
  - and that the preliminary points for consideration have been dealt with sufficiently to permit the Executive to proceed to determine this proposal.

#### TYPES OF DECISION THAT CAN BE MADE

- 7.4 In considering proposals for making changes to school provision, the Executive, as Decision Maker can decide to:
- reject the proposals;
  - approve the proposals;
  - approve the proposals with a modification;
  - approve the proposals subject to them meeting a specific condition (these conditions are specified in regulation 16 of the Establishment and Discontinuance Regulations, and are not considered applicable to this proposal).

### 8 PROCEDURE FOR THE MEETING

- 8.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:
- (a) The Executive must have regard to decision makers' guidance published by the DfE and to the Executive Procedure Rules laid down in the North Yorkshire County Council Constitution.
- (b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.

### 9 REASONS FOR THE RECOMMENDATION

The report to the Executive dated 19 July set out the key concerns. The latest position on these issues is summarised below.

9.1 Pupil numbers

There was one pupil on roll when the School Census was undertaken on 6 October.

9.2 Finance

Pupil numbers determine the level of funding that a school receives. Based on the 2022/23 Start Budget submitted, Woodfield School had an in-year budget deficit of £66.0k in the financial year 2021/22; in-year deficits are forecast of £52.4k in 2022/23, £64.9k in 2023/24 and £72k in 2024/25. The school had a cumulative budget deficit of £44.9k at the end of the 2021/22 financial year; the accumulated budget deficit is forecast to increase to £97.4k for 2022/23, £162.3k for 2023/24 and £234.2k for 2024/25. These figures are based on projected pupil numbers of 42 in October 2022 and 43 in October 2023. The funding that

the school receives will now be significantly lower as there was only one pupil on roll on School Census day on 6 October 2022.

### 9.3 School Leadership and Standards

Woodfield Community Primary School was last fully inspected by Ofsted in January 2020, who found the overall effectiveness to be inadequate and the school became subject to special measures. Subsequent Ofsted monitoring visits have found that that school leaders and those responsible for governance are taking effective action towards the removal of special measures. However, any maintained school that is judged inadequate by Ofsted is required to become a sponsored academy. The Regional Director (formerly the Regional Schools Commissioner) has been unable to secure an Academy Trust to sponsor Woodfield 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.

## 10 HUMAN RIGHTS IMPLICATIONS

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

## 11 RECOMMENDATIONS

11.1 That having undertaken the required preliminary checks, the Executive resolve that the four key issues listed above in paragraph 7.3 have been satisfied and there can be a determination of the proposals.

11.2 The following proposals be determined:

- i. To cease to maintain (to close) Woodfield Community Primary School from 31 December 2022;
- ii. To make the catchment area of Woodfield Community Primary School a shared catchment area for both Bilton Grange Primary School and Grove Road Community Primary School from 1 January 2023.

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

Report prepared by John Lee, Strategic Planning Team.

### Appendices:

Appendix 1 - Statutory Notice and Statutory Proposal

Appendix 2 - Responses to the Statutory Proposal

Appendix 3 - School Organisation Guidance for Decision Makers

### Background documents

Report to Executive, 19 July 2022

Report to Corporate Director’s Meeting with Executive Members, 24 May 2022