

**NORTH YORKSHIRE COUNTY COUNCIL**

**THE EXECUTIVE**

**21 MARCH 2023**

**PROPOSAL TO CEASE TO MAINTAIN SKELTON NEWBY HALL CHURCH OF ENGLAND  
VOLUNTARY CONTROLLED PRIMARY SCHOOL**

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

**PURPOSE OF REPORT**

- 1.1 This report details the outcome of the public consultation carried out by the Children and Young People’s Service on a proposal to close Skelton Newby Hall CE VC Primary School. The Executive is asked to consider the responses to the consultation, to authorise the publication of statutory proposals, and to schedule taking a final decision on the proposal on 30 May 2023.

**1.0 EXECUTIVE SUMMARY**

- 2.1 In Autumn 2022, the governing body of the Federation of Skelton Newby Hall CE and Sharow CE Primary Schools agreed unanimously, with regret, to ask the County Council to consult on closure proposals for Skelton Newby Hall CE VC Primary School. On 13 December 2022, Executive Members for Children and Young People’s Service gave approval for consultation on a proposal to close Skelton Newby Hall CE VC Primary School from 31 August 2023.
- 2.2 The proposal published for consultation was that the local authority would cease maintaining the school and that, in the event of closure, the catchment area of Kirby Hill CE VC Primary School would be extended to become the normal school to serve the area currently served by Skelton Newby Hall Primary School. The consultation commenced on 6 January 2023 and closed on 24 February 2023.
- 2.3 This report details the responses to the consultation and asks the Executive to authorise the publication of a full statutory proposal and notices, and to schedule taking a final decision on the proposal on 30 May 2023.
- 2.4 The report is supported by a number of Appendices as listed below:  
Appendix 1 Full draft statutory proposals and draft statutory notice  
Appendix 2 Published consultation document  
Appendix 3 List of consultees  
Appendix 4 Note of the public meeting 17 January 2023  
Appendix 5 Responses to the consultation document  
Appendix 6 Equality Impact Assessment  
Appendix 7 Climate Change Impact Assessment

**2.0 BACKGROUND AND CONSULTATION UNDERTAKEN**

- 3.1 Skelton Newby Hall CE VC Primary School is a 3-11 primary school located in the rural village of Skelton on Ure near Ripon. The school is currently federated with Sharow CE VC Primary School, an arrangement that has been in place since 2012. Both schools share the same

Executive Headteacher. The federation maximises available opportunities to bring together pupils to share resources, activities and learning.

- 3.2 Skelton Newby Hall CE VC Primary School was last inspected by Ofsted in March 2020, when there were 20 pupils on roll. The overall effectiveness was judged to be 'Requires Improvement', as were the four key judgements on the quality of education, behaviour and attitudes, personal development and leadership and management. The arrangements for safeguarding were judged to be effective.
- 3.3 The number of children at Skelton Newby Hall CE VC Primary School has been falling over the past few years. At the beginning of September 2021, there were 15 pupils on roll in the school plus two children in the nursery. This was well below the capacity of the school which could accommodate around 52 pupils. Since then, there has been a further fall in numbers and at the start of the autumn term in September 2022, there were nine statutory aged pupils and one nursery child remaining on roll. Due to low numbers Key stage 2 teaching is currently taking place at Sharow Primary School. Pupil numbers have now fallen further, to one pupil in Year 6 who continues to be educated at Sharow CE VC School with peers. The Governing Body have been active in their collective efforts to raise numbers at the school through many initiatives over recent years, including the introduction of nursery provision in September 2019, which did attract some children to the school, although numbers have been small. Marketing of the school has been a collective effort by governors, staff and parents, though this has not had a long-term result.
- 3.4 In autumn 2022, the federated governing body agreed unanimously, with regret, to ask the County Council to consult on closure proposals for Skelton Newby Hall CE VC Primary School. This decision was not taken lightly by the governing body.
- 3.5 The main factors prompting the request were considerations around being able to provide such a small number of pupils with the rounded education that they deserve, together with little prospect of future improvement in pupil numbers.

### **3.0 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES**

- 4.1 The decision to consult on the proposal was taken by the Executive Member for Education, Learning and Skills on 13 December 2022. A consultation document (Appendix 2) was distributed to the list of consultees (Appendix 3) and published on the County Council website. The consultation period ran from 6 January 2023 to 24 February 2023 (6 term-time weeks plus February half-term).
- 4.2 A public consultation meeting was held on 17 January 2023 at Skelton Reading Rooms. A record of the meeting is attached at Appendix 4. The meeting was attended by approximately 19 members of the public from the local community plus officers of the Local Authority, the Executive Headteacher, the Chair of Governors, the Diocesan Director of Education and the County Councillor for Wathvale and Bishop Monkton division.
- 4.3 By the closing date of 24 February 2023, 50 written consultations responses had been received and these are shown in full in Appendix 5. The following section of the report summarises the main issues and concerns raised by those who responded to the consultation by completing an online response form, submitting a written response, or raising an issue in the consultation meeting.

### **5. ISSUES RAISED AND RESPONSES**

- 5.1 Most of the responses to the consultation and comments made by attendees at the consultation meetings did not support the proposal for the school to close. Four

respondents, however, did support the proposal and put forward views that the school was no longer felt to be needed, that children are left struggling and do not achieve well for their age, that low numbers and the cost of running the school make it financially unsustainable. The comments against the proposal focused on the circumstances which had led to a decline in pupil numbers and many comments received indicated a view that there is a need for a school locally. The key issues raised during the consultation process are set out below with responses.

#### 5.2 The Skelton Newby Hall School site

A number of consultees stated that the school site was a resource worth keeping in a beautiful setting adjacent to the Skelton Newby Hall Estate and could be an excellent facility for a Forest School, drawing prospective parents into the area, and catering for pupils with additional needs and for children that do not respond well to larger class sizes. Another suggestion was to create an early years base in Skelton as Roecliffe Academy is running at capacity at this age group and would benefit from more capacity. It was also said that Skelton Newby Hall School had reacted well to dealing with the pandemic as school bubbles were much smaller and school life returned to normal much quicker due to small classroom sizes in comparison to other local schools. It was felt that the closure of the school would be a great loss to the community. Skelton Cum Newby Parish Council did not support the proposal to close the school and asked NYCC to reject the option to close the school and work with them and the local community to realise the potential of the setting. The Parish Council would like to consult on the best operational structure to take this forward as in their view the existing federation has failed. They feel that the community has demonstrated its ability to mobilise in support of community assets and, in conjunction with the Newby Estate, want to do the same for the school.

#### 5.3 Response

The Local Authority recognises the value of the Skelton Newby Hall CE VC site and its outdoor learning area. The benefits of the site alone have not been sufficient though, to attract parents to bring their children to the school, resulting in only nine statutory aged pupils and one nursery child on roll in September 2022. Pupil numbers have now reduced further to one child in year 6, who is currently educated at Sharow CE VC School alongside peers. Given these very low numbers, it is unclear what alternative operational structure could be implemented now that would be financially sustainable. The school building and site is not owned by the County Council. The owners will take decisions about the future use of the school site and building after the closure proposal has been determined.

#### 5.4 Comments on leadership, governance and the Local Authority's role in addressing the issue of declining numbers at the school

A number of respondents and attendees raised concerns regarding the quality of provision at Skelton Newby Hall CE VC Primary School and felt that this had declined over the years, with the school now judged as Requires Improvement by Ofsted. Some felt that the focus of attention on standards and quality of provision had been at Sharow School at the expense of Skelton Newby Hall. One respondent asked if the Headteacher's time was equally divided across both schools. A number of respondents noted that if a full inspection had occurred at Sharow CE VC School in December 2021, that the inspection grade may not have been as high. One respondent proposed a federation with Kirby Hill CE VC that they argued would produce a fresh leadership challenge and provide the motivation to re-create a thriving village school.

#### 5.5 The Parish Council of Skelton Cum Newby noted that despite the falling numbers, it would appear that there had been no substantive effort to understand why parents of local children have not placed them in their local school, or, as has been the case, why parents have removed their children from the school. They felt that Skelton, as the smaller site, is the junior partner in the federation. A number of responses said the federated governing

body did not include governor representations from the Skelton Newby Hall School community. It was suggested that a group of children joined, who had additional educational needs and Skelton Newby Hall CE VC School was understood locally to be a 'Special School'. Some parents decided to remove children from the school at this stage to other settings, and numbers have reduced as a result.

5.6 A number of respondents said that marketing of the school had not been effective. The Parish Council of Skelton Cum Newby said there was no clear understanding at the public meeting what marketing had been undertaken in recent years to promote the school. One respondent asked for more time to find out why local village children were not using the school.

5.7 Response

In summary, Governors feel that they were active in their collective efforts to raise numbers at the school through many initiatives including the introduction of nursery provision in September 2019, which attracted some children to the school, although numbers have been small. Marketing of the school has included the distribution of flyers to new builds in the area, and investment in the school's website. Leaders and Governors continue to maximise the range of shared experiences through the Federation. Support has been provided by the LA School Improvement Team, and since the start of the Autumn term, governors and leaders have accessed support from an experienced National Leader in Governance. The federated governing body had worked very hard to recruit governors. In a federation, governors represent all schools within a federation rather than individual communities. No responses to the consultation have been received from other local schools offering federation or alternative arrangements to allow Skelton Newby Hall School to remain open.

5.8 Sufficiency of school places

A number of consultees described pressures on the capacities of existing schools in the area, with additional housing under construction or planned (Boroughbridge, Kirby Hill and Langthorpe) and families moving in as a consequence. Many thought that local schools were oversubscribed, and that class sizes were already too large.

5.9 Some respondents thought that it would be better to keep Skelton Newby Hall CE VC open rather than have to build a new school or put a temporary classroom unit in place at another local school. One respondent, however, said that Skelton Newby Hall CE VC School is not a choice for the large Hockley Croft housing development at Langthorpe. Another respondent added there are a large number of primary schools in the Boroughbridge and village catchment areas and it is down to parental choice. One respondent asked if pupils could be moved from Sharow to Skelton as Sharow is running at capacity.

5.10 A number of parents attending the public meeting and online stated that they were pressurised to act early in terms of moving their children as places were short in other local schools and in some year groups over-subscribed and they were therefore unable to obtain their first choice of school.

5.11 Response

North Yorkshire County Council works closely with Harrogate Borough Council, as the local planning authority, to understand projected housing developments and to ensure that there are sufficient school places available. Although designated a service village in the Harrogate District Local Plan, there is no new housing planned in the Skelton Newby Hall's CE VC School catchment area. An allowance of potential additional primary aged school children generated by current housing permissions are included in the forecasts of future pupil numbers. Within the wider area, it is currently anticipated that there are potentially 188

additional pupils expected to join across the five nearby schools until 2027/28 (as outlined in Appendix 3 of the report to Executive Members on the 13 December 2022). Build out rates of new housing are monitored carefully. There is the potential to provide additional capacity at Boroughbridge Community Primary School if required, although there is sufficient capacity at the school for at least the next five years.

- 5.12 Nationally, the nursery and primary school population is beginning to fall and by 2030 is forecast to be 10% smaller than it was in 2020. Data from the Office of National Statistics show that the birth rate is falling and NHS GP registrations in the area suggest that there are lower numbers of pre-school children than those currently of primary school age. Any growth in pupil numbers from those moving into new housing are therefore being mitigated to some extent by the falling birth rate.
- 5.13 There is capacity within other schools in the local area as noted in the report to Executive Members in December 2022 (Appendix 3), although not in every year group in every school. Eight statutory aged pupils have recently transferred to other local schools from Skelton Newby Hall CE VC. Advice regarding Admissions and contact details for the County Council's Admissions Team were provided in the consultation document and following the consultation meeting, personal appointments with Admissions Officers were offered for each parent at the school.
- 5.14 Catchment Areas  
As part of the consultation, the Local Authority invited comments on the proposal, should Skelton Newby Hall School close, that the catchment area of Kirby Hill CE VC Primary School would be extended to include the current Skelton Newby Hall Primary School catchment area.
- 5.15 Of the responses received, a significant number of respondents felt that the existing catchment area of Skelton Newby Hall CE VC School was too small and this was a factor in the low numbers attributed to the school. It was suggested that the Local Authority should have addressed the size of the existing catchment area of the school, particularly with all the new housing in the local area. One respondent thought that small children travelling, not living in the village where they go to school, is problematic in terms of friendships and personal development. Another suggested that joining Skelton catchment onto Kirby Hill may cause problems in the future with continued growth in planning permissions and new housing developments within the Boroughbridge area. Some consultees commented that Kirby Hill School has already seen an increase in traffic caused by parents driving their children to school, as they do not live locally. Respondents noted there is no direct bus route link between the villages. One respondent felt that none of the catchment areas suggested are near enough to be suitable and therefore concluded none of them were suitable. One respondent said that the military community in nearby locations make it perfect for a wider catchment area. Some respondents stated that parents should have a choice of what school their child attends irrelevant of catchment area at primary school age, another respondent added that they thought catchment areas should be abolished. One respondent said that it should be noted that Kirby Hill is in the Boroughbridge secondary school catchment area whereas Skelton Newby Hall CE VC is in the Ripon catchment.
- 5.16 Response  
With regard to suggestions that the catchments should change size to support the school to remain open this would not have made any material difference to the number of pupils attending Skelton Newby Hall School. Parents from inside or outside the Skelton Newby Hall catchment can apply at any time for places at the school for their children.
- 5.17 The Church of England Diocese of Leeds is supportive of the proposed catchment area change, should Skelton Newby Hall School close.

- 5.18 The existing catchment area of Kirby Hill is in the Boroughbridge High secondary catchment area and the existing catchment area of Skelton Newby Hall is in the Ripon Grammar School /Outwood Academy Ripon catchment area. Should Skelton Newby Hall close and the Kirby Hill catchment be extended, parts of the Kirby Hill primary school catchment areas would be split across two different secondary school catchments. Any proposed change regarding secondary catchment areas could be consulted on as part of the Admissions Consultation Process for 2025/26.
- 5.19 Consultation process  
The Parish Council of Skelton Cum Newby stated that consultation came as a surprise to the village. The Parish Council was first informed via the Newby Estate and local parents before the official notification was received from NYCC or the School itself, and they feel that the community has felt let down by the lack of proper consultation, as the current process, whilst statutory in nature, feels like a foregone conclusion to those who attended the public meeting.
- 5.20 Response  
Parents/carers and the Skelton Newby Hall Estate were notified on the 22 November 2022 that governors, had with regret, asked the County Council to consult on closure proposals for Skelton Newby Hall CE Primary School.
- 5.21 The Parish Council, like other consultees, was sent a copy of the consultation document at the start of the consultation process. Officers are confident that a full and detailed consultation has been carried out. Should the process proceed, the publication of statutory proposals will give another four weeks for representations to be made by the public, and no final decision has been made at this stage regarding the school's future.
- 5.22 Conclusion  
It is the view of Local Authority Officers that none of the issues raised as part of the consultation affect the fundamental reasons for consulting on closure as set out in the report to the Executive Members in December and in the consultation document in January. There is now only one child on the school roll, who is due to move to secondary provision at the end of this academic year. Although two applications have been received for admission into the school in September 2023, these are not first preference applications for Skelton Newby Hall CE VC School. It appears highly likely that these children would be allocated one of their higher preference schools. There have been no applications made for 'in year' transfers into other year groups at Skelton Newby Hall CE VC School. It therefore appears that from September 2023 the school would have no pupils on roll. The responses to the consultation process have been unable to identify a viable alternative option that would secure the school's future. Local Authority Officers have concluded that closure of the school would be in the best interest of the future education of pupils in the area. There are places available at other local schools within a reasonable travel distance.
- 6. PROPOSAL**
- 6.1 The proposal to cease to maintain Skelton Newby Hall CE VC School from 31 August 2023.
- 6.2 The proposals include that the catchment area of Kirby Hill CE VC should be expanded with effect from 1 September 2023 to serve the area currently served by Skelton Newby Hall CE VC School.
- 6.3 The full statutory proposal is set out in Appendix 1. This includes details about pupil numbers, alternative schools, impact on the community and travel implications.
- 6.4 The proposed timetable would be:

30 March 2023	Publication of Statutory Proposals
27 April 2023	Closing date for representations (4 weeks as prescribed in regulations and cannot be shortened or lengthened)
30 May 2023	Final decision by the Council's Executive
31 August 2023	Proposed closure date

## 7. FINANCIAL IMPLICATIONS

### 7.1 School revenue funding

Any annual savings to the Dedicated Schools Grant arising from the closure, if approved, would remain within the ring-fenced Dedicated Schools Grant as part of the funding for all schools. Any surplus revenue or capital balances would be allocated in line with the Closing School Accounting Policy.

7.2 The School is funded for the 23/24 financial year based on the October 2022 census, as is the approach for all maintained schools. Should the school remain open into the next academic year, given that all pupils, except one year 6 pupils, have left the school since the beginning of this academic year it would appear highly likely there would be no pupils on roll at the October 2023 census. Therefore, no per pupil funding would be allocated to the school for the 24/25 financial year.

### 7.3 Transport costs

As the only pupil currently on roll at Skelton Newby Hall School will move to secondary education before the proposed closure date, there would be no immediate transport costs. Any pupils living in the current Skelton Newby Hall catchment area applying for school places at other local schools after the closure would be assessed under the home to school transport policy at the appropriate time. As such future transport costs cannot be estimated.

## 8 LEGAL IMPLICATIONS

8.1 The School Organisation regulations and guidance<sup>1</sup> set out the processes involved in publishing school closures. Careful regard has been had to these provisions.

8.2 As Skelton Newby Hall CE VC School is designated as a rural school there are some particular considerations for the proposers of any closure. There is a presumption against the closure of rural schools. This does not mean rural schools should not close. It means the that the 'case for closure should be strong and the proposal must be clearly in the best interest of educational provision in the area'. Proposers must demonstrate that they have considered the following:

- Educational standards at the school and the effect on standards at other schools
- Alternatives to closure such as federation or academy status
- The availability and cost of transport to other schools
- Any potential increase to car use
- The impact on the community

8.3 These factors are considered in the draft statutory proposal, attached as Appendix 1.

## 9 HUMAN RIGHTS IMPLICATIONS

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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 (January 2023).

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

## **10 EQUALITIES IMPLICATIONS**

10.1 An Equality Impact Assessment has been undertaken in respect of this proposal and is attached (Appendix 6).

## **11 CLIMATE CHANGE IMPLICATIONS**

11.1 A climate change Impact Assessment has been undertaken in respect of this proposal and is attached (Appendix 7).

## **12 NEXT STEPS**

12.1 It is proposed to publish proposals and statutory notices on 30 March 2023 (Appendix 1). The proposals would be published on the County Council's website and the statutory notice would be published in a local newspaper and displayed at the main entrance to the school. These would provide four weeks representations to be made to the Local Authority, by 27 April 2023.

12.2 The Executive agreed a model for decision-making on school organisation proposals on 25 September 2007. If approval is given to publish statutory proposals and notices, it is proposed that a final decision is taken by the Executive on 30 May 2023.

## **13 RECOMMENDATIONS**

13.1 It is recommended that the Executive:

- i. Agree that statutory proposals and notices be published on 30 March 2023 proposing to cease to maintain Skelton Newby Hall CE Primary School with effect from 31 August 2023; and proposing that the catchment area of Kirby Hill CE VC be expanded with effect from 1 September 2023 to serve the area currently served by Skelton Newby Hall CE VC School.
- ii. Schedule taking a final decision on these proposals on 30 May 2023.

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### List of Appendices

Appendix 1 Full draft statutory proposals and draft statutory notice  
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### Background document

Report to CYPS Executive Members 13 December 2022