

DRAFT

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 Council, County Hall, Northallerton, DL7 8AE, to discontinue:

Fountains Earth, Lofthouse Church of England Endowed Primary School, Lofthouse, Harrogate HG3 5RZ from 31 March 2024.

Fountains Earth, Lofthouse Church of England Endowed Primary School is a 4-11 Church of England Voluntary Controlled primary school in North Yorkshire.

Implementation

It is proposed to close the school from 31 March 2024.

Reason for closure

The main factor prompting the request is that there are currently no pupils on roll at Fountains Earth Primary School. The school has operated with 34 pupils or less for the last 15 years. Since the 2017/18 academic year there has been a downward trend of pupil numbers and pupil numbers fell from 21 in 2019/20 to 15 pupils recorded in the October 2022 school census and 10 pupils recorded in the May 2023 census. All of the school's pupils transferred to other schools before the start of the current academic year and there were no new starters in the Reception year group in September 2023.

The school has in recent times experienced recruitment and retention difficulties associated both with the particular location of the school and the challenge of securing suitably skilled staff to deal with the differentiation required by whole school teaching in a single class structure.

Finance is also a key concern. The pupil numbers for the October 2023 census form the basis of a schools' funding for the 2024/25 financial year. The Department for Education (DfE) have confirmed that in an exceptional circumstance where a school has no pupils, no funding would be provided to the local authority for that school through the DfE Dedicated Schools Grant (DSG) schools block funding; this is the grant funding used to fund school delegated budgets.

In the event of the school remaining open, the local authority would need to determine whether the school should continue to be funded through the school funding formula. If this were agreed, the school would receive the formula lump sum funding (2024/25

indicative value £134,400) and the school rates funding (£2,645). Any 2024/25 formula funding allocation for Fountains Earth, Lofthouse CE Primary would need to be funded from the DSG funding allocations provided for other schools and academies within North Yorkshire.

If the school closure were to go ahead, the individual school budgets would need to be separated out from the current amalgamated Federation budget. Work is currently being undertaken with the Federation leadership on forecasting the financial position for the individual schools within the Federation to the end of the current financial year.

As numbers fall, it is increasingly difficult to provide the remaining pupils with access to the full range of experiences and the quality of education they require. At present, if any pupils were to apply to join Fountains Earth Primary there is no real prospect of them being able to get a full and balanced school experience in the absence of any peers.

Pupil numbers and admissions

There are currently 0 pupils on roll at the school.

The school's age range is 4-11 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 there are currently no pupils on roll at the school.

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

There are currently no pupils on roll at Fountains Earth Lofthouse so there will be no immediate requirement to assist parents with seeking alternative places in the event of closure. However, it is important to ensure that there are sufficient school places in the local area.

There are two other North Yorkshire primary schools within reasonable travelling distance with places available currently.

The nearest school to Fountains Earth, Lofthouse CE Endowed Primary School is St

Cuthbert's Church of England Primary School, Pateley Bridge. St Cuthbert's Primary has spaces in all year groups and was rated 'Good' by Ofsted in October 2022.

There are also places available (although not in all year groups in some schools), at Glasshouses Community School, Kirkby Malzeard CE, Summerbridge Primary, Dacre Braithwaite CE, Grewelthorpe CE and Masham CE VA. All schools were judged 'Good' in their last Ofsted with the exception of Dacre Braithwaite which was judged 'Outstanding' in 2011.

Revised school catchment area arrangements that would apply, in the event of closure, from 1 April 2024.

It is proposed that should Fountains Earth, Lofthouse CE Endowed Primary School close, St Cuthbert's CE Primary School, Pateley Bridge, as the nearest alternative school and also a CE school, would be the appropriate choice to adopt the existing Fountains Earth catchment area as an addition to its existing area.

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
As there are no pupils there are none 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
As there are no pupils there are none 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. Lofthouse has the Lofthouse Memorial Institute, it contains a main hall with a stage, billiard room, kitchen facilities and an adjacent car park. The Memorial Institute is a valuable community resource and home of the Lofthouse Playgroup, local clubs, hosts coffee mornings and is available for hire to groups. There is also a public house in the village.

Fountains Earth School has strong links with St Cuthbert's Church, Pateley Bridge and Pateley Bridge Methodist Church. The ministers from both churches support the school in the delivery of Collective Worship and lead worship each week.

The school site is owned by North Yorkshire Council. Future use of the school site and buildings will be taken by the Council after the closure proposal has been determined.

There is no significant planned housing development in the school's catchment area as part of the adopted former Harrogate District Local Plan. There are 11 outstanding housing permissions granted within the school's catchment area which over time may yield approximately three primary age pupils.

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.

Fountains Earth Lofthouse 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 2023 there were eight primary aged children who were living in the catchment area of Fountains Earth School and also attending a North Yorkshire School. None of those pupils were on roll at Fountains Earth but rather attended a total of five other North Yorkshire schools.

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 in future. Free home to school transport would be provided for eligible pupils within the enlarged catchment area in accordance with the Council's Home to School Transport policy. The Council's current 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. These are:

- 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 Council's transport policy, to the nearest school with places available.

Any pupils living in the current Fountains Earth Lofthouse catchment area applying for school places at other local schools after the closure would be assessed under the prevailing home to school transport policy at the appropriate time. As such future transport costs cannot be estimated.

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 Council's website at

<https://www.northyorks.gov.uk/education-and-learning/school-and-college-transport/school-transport-reception-year-11-children>

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)

There are two primary schools within an eight mile radius of Fountains Earth School by road, and a further five primary schools are located on the periphery of this radius:

- St Cuthbert's CE Pateley Bridge
- Glasshouses Community School
- Kirkby Malzeard CE School
- Summerbridge Primary
- Dacre Braithwaite CE
- Grewelthorpe CE
- Masham CE VC

St Cuthbert's CE

- 6.5 miles by road from Fountains Earth Lofthouse
- Rated Good by Ofsted in October 2022
- Capacity 119
- 48 pupils on roll
- Forecast 48 pupils by 2028/29

Glasshouses Community School

- 8.1 miles by road from Fountains Earth Lofthouse
- Rated Good by Ofsted in March 2022
- Capacity 70
- 51 pupils on roll
- Forecast 36 pupils by 2028/29

Kirkby Malzeard CE VC

- 9.7 miles by road from Fountains Earth Lofthouse
- Rated Good by Ofsted in September 2023
- Capacity 105
- 89 pupils on roll
- Forecast 96 pupils by 2028/29

Summerbridge Primary (Academy)

- 10 miles by road from Fountains Earth Lofthouse
- Rated Good by Ofsted in February 2022
- Capacity 81
- 73 pupils on roll
- Forecast 59 pupils by 2028/29

Dacre Braithwaite CE Primary School (Academy)

- 10.2 miles from Fountains Earth Lofthouse by road
- Rated Outstanding by Ofsted in March 2011
- Capacity 70
- 83 pupils on roll
- Forecast 88 pupils by 2028/29

Grewelthorpe CE Primary (Academy)

- 11 miles from Fountains Earth Lofthouse by road
- Rated Good by Ofsted in March 2022
- Capacity 70

- 76 pupils on roll
- Forecast 63 pupils by 2028/29

Masham CE VA Primary School

- 11 miles from Fountains Earth Lofthouse by road
- Rated Good by Ofsted in July 2019
- Capacity 116
- 73 pupils on roll
- Forecast 58 pupils by 2028/29

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

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 Governing Body and officers from the Council and Diocese have explored alternatives to the closure of the school.

It is considered that there is no potential for the school to convert to academy status or to join a multi-academy trust because it would not meet tests of due diligence due to its small size.

The school is currently federated with St Cuthbert's CE since 2017 following a collaboration between the two schools that had been in place since 2014. Glasshouses Community Primary School collaborated with and supported the Federation of St Cuthbert's Primary School and Fountains Earth Primary School in April 2021. Following the collaboration, a new federation comprising the three schools Glasshouses Community Primary School, St Cuthbert's Primary School and Fountains Earth Primary School was established in January 2022 under the name of the Upper Nidderdale Primary Federation. All three schools share the same Executive Headteacher.

The consultation process has not brought forward any suggestion for alternative partnership arrangements with any other school.

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.

Fountains Earth Lofthouse CE Endowed 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 Church of England school, 6.5 miles from Fountains Earth,

Lofthouse is St Cuthbert's CE Primary School at Pateley Bridge.

- There is also a Church of England school at Kirkby Malzeard CE VC School which is 9.7 miles away.
- There is also a Church of England School at Dacre Braithwaite CE which is 10.2 miles away.
- There is also a Church of England School at Grewelthorpe CE School which is 11 miles away.
- There is also a Church of England School at Masham CE VA School which is 11 miles away.

The Diocese is supporting the LA with the consultation and given the availability of places at other local Church of England schools 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 Fountains Earth Lofthouse 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 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.

The Council's current home to school transport policy states that pupils up to the age of 8 would be eligible for free home to school transport if they live more than 2 miles from their normal area school or their nearest 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 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 time for children living within the current Fountains Earth Lofthouse CE VC Primary School catchment area would depend on which other school they attended and their home address.

The nearest schools are:

St Cuthbert's CE (6.5 miles) away from Fountains Earth School, approximate travel time is 16 minutes, Glasshouses Community School (8.1 miles away, approximate travel time is 19 minutes. Kirkby Malzeard CE VC is 9.7 miles away, travel time 30 minutes. Summerbridge Primary is 10 miles away, travel time 23 minutes. Grewelthorpe CE is 11 miles away and approximate travel time 30 minutes. Masham CE VA is 11 miles away and travel time approximately 24 minutes. The approximate travel times have been sourced by via a commonly used mapping website. The times are school to school, so longer journey times may be applicable for families living at the furthest points of catchment areas

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 Corporate Director-Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD, or by email to schoolorganisation@northyorks.gov.uk by 5pm on 29 February 2024.

Consultation

The decision to consult on closure was taken by the Executive Member for Schools on 7 November 2023 following a request from governors. A consultation paper setting out the proposal was sent to staff at the school as well as other interested parties and individuals. A copy of the consultation paper is included in Appendix 3 and a list of the consultees is included in Appendix 4. The consultation period ran from 17 November 2023 to 22 December 2023. A public meeting was held on the 29 November 2023, a note of the meeting is attached as Appendix 5. There have been 34 consultation responses received (Appendix 6).

Appendices – see Report to Executive 23 January 2024

Appendix 2: Pre-consultation correspondence between Upper Nidderdale Parish Council and the Executive Member

Appendix 3: Published Consultation Paper

Appendix 4: List of the Consultees

Appendix 5: Note of the Public Meeting

Appendix 6: Public Statement to Skipton and Ripon Area Constituency Committee and

CYPS officer's response

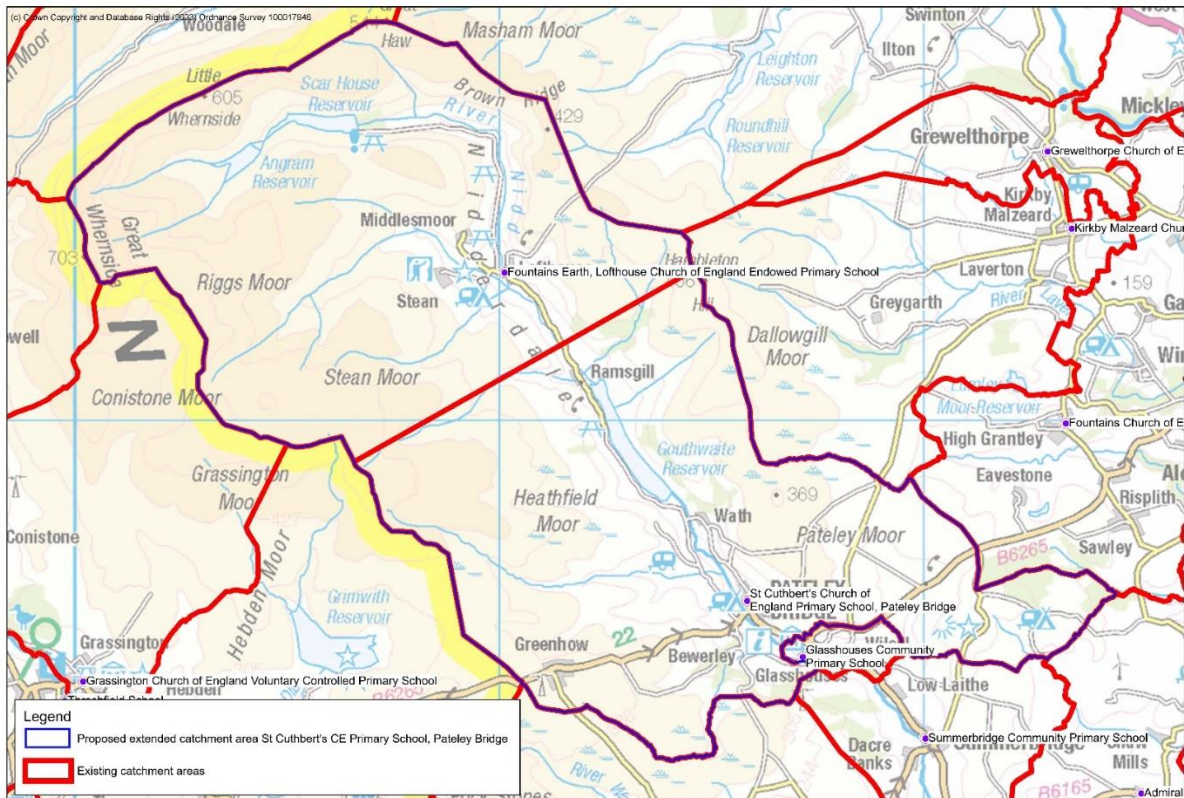
Appendix 7: Consultation responses

Appendix 8: Equality Impact Assessment

Appendix 9: Climate change Impact Assessment

Below is a draft map of the proposed catchment area which forms part of this Statutory Proposal.

Proposal to close Fountains Earth Lofthouse CE Endowed Primary School - current catchment area and proposed extended catchment area for St Cuthbert's CE Primary School, Pateley Bridge



DRAFT
NORTH YORKSHIRE COUNCIL
Proposal to Cease to Maintain a School
Fountains Earth, Lofthouse Church of England
Endowed Primary School

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that North Yorkshire Council, County Hall, Northallerton, DL7 8AE, intends to discontinue Fountains Earth, Lofthouse Church of England Endowed Primary School, Lofthouse, Harrogate, North Yorkshire HG3 5RZ on 31 March 2024.

The proposal also includes revised school catchment area arrangements that would apply, in the event of closure, from 1 April 2024.

Copies of the complete proposal can be obtained from: Corporate Director - Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AE and are available on the Council's website at www.northyorks.gov.uk.

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 Corporate Director - Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AE, by 5pm on 29 February 2024.

Signed: B. Khan
Assistant Chief Executive
(Legal and Democratic
Services)
Publication Date: 1 February 2024