

## NORTH YORKSHIRE COUNCIL

### CHILDREN AND YOUNG PEOPLE'S SERVICE

#### CORPORATE DIRECTOR MEETING WITH EXECUTIVE MEMBERS

7 November 2023

#### **Fountains Earth, Lofthouse, Church of England Endowed (Voluntary Controlled) Primary School**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To seek Executive Member approval to consult on a proposal that the Council should close Fountains Earth, Lofthouse Church of England Endowed (Voluntary Controlled) Primary School from 31 March 2024.

#### **2.0 BACKGROUND AND SUMMARY**

- 2.1 At a recent meeting of the Governing Board of the Upper Nidderdale Primary Federation (representing the three schools of; Fountains Earth, Lofthouse CE Endowed VC Primary School, St Cuthbert's CE VC Primary School, Pateley Bridge and Glasshouses Community Primary School) it was resolved, with no pupils on roll, to take the heavy and sad decision, to ask North Yorkshire Council to consult on closure proposals for Fountains Earth, Lofthouse CE Endowed Primary VC School.
- 2.2 St Cuthbert's Primary School and Fountains Earth Primary School formerly entered into federation in May 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 Upper Nidderdale Primary Federation. An Executive Headteacher model is in place, and this is common under federation arrangements. The Governing Board and leadership have worked to maximise opportunities presented by the federation arrangements, including bringing pupils together to share activities and learning opportunities such as regular shared curriculum days during 'Federation Friday'.
- 2.3 Fountains Earth, CE Endowed Primary School, is located in the small rural village of Lofthouse in Nidderdale, an Area of Outstanding Natural Beauty (AONB). The school is defined by the government as a rural school that serves rural hamlets with isolated dwellings. The Department for Education expects all decision makers to adopt a presumption against the closure of rural schools. However, in their statutory guidance they make it clear that this does not mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area.
- 2.4 In June 2022 the federated Governing Board approached the Local Authority to seek consultation on the proposed closure of Fountains Earth. There were 11 pupils on the school roll at this time and the available information showed no sign of any significant growth in the roll. This consultation request was subsequently withdrawn by the Federation Governing Board in July 2022 as it had been suggested locally that the school roll was going to grow in the near future.

- 2.5 The Governing Board subsequently undertook a detailed exercise with the community in Autumn 2022 to understand more fully the future potential pupil numbers at the school. The exercise showed some minor change to the future forecast numbers originally held by the Council. Parents, carers and the wider community were informed of the outcome in January 2023. The revised forecast numbers communicated at the time were as follows 23/24 – 11 pupils; 24/25 – 13; 25/26 – 13; 26/27 – 15; 27/28 – 18. Importantly those predictions assumed that none of the existing pupils would leave Fountains Earth, other than to transfer to secondary school at the end of Year 6.
- 2.6 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. Therefore, the main factor prompting the Governing Board's request for consultation at this time, is there are currently no pupils on roll at Fountains Earth Primary School. Further information on changes in pupil numbers over time is contained in section 3 of this report.
- 2.7 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. These issues are discussed in more detail in section 3 of this report.
- 2.8 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 where a school has no pupils in the October census, they will not allocate any funding for that school in the schools' block element of the Dedicated School Grant (DSG) funding that a local authority receives to fund schools and academies located within the local authority area.
- 2.9 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 would need to be funded from the DSG funding allocations provided for other schools and academies within North Yorkshire.

### **3.0 FOUNTAINS EARTH LOFTHOUSE CE ENDOWED VC PRIMARY**

#### Pupil numbers

- 3.1 Fountains Earth is a small rural 4-11 CE VC Primary School and currently has no children on roll. 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 with pupil numbers falling from 21 in 2019/20 to 15 pupils recorded in the October 2022 school census, and 10 pupils recorded in the May 2023 census:

2016/17 – 19 pupils  
2017/18 – 29  
2018/19 – 25  
2019/20 – 21  
2020/21 – 15  
2021/22 – 12  
2022/23 – 15 (October 2022 Census)

2022/23 – 10 (May 2023 Census)  
 2023/24 – 0 (October 2023 census)

- 3.2 The school has a Published Admission Number (PAN) of 6 pupils per year group. The school has capacity to accommodate up to 50 pupils if all spaces are in use, and therefore has the potential to contribute 50 places in the local area.
- 3.3 The school catchment area has a primary age cohort of children which reduced from 27 children in 2017 (the earliest records held by the Council) to 16 children in October 2022. This cohort figure is based on children living in the catchment area and attending a North Yorkshire area school at that time, be that LA maintained or academy. The second data set in the table below shows how many of those ‘in-area’ children were attending the school at that time. This shows the number of ‘in-area’ children at the school halved from 20 to 10 between October 2017 and October 2022.

	<b>Primary school age children living in catchment and attending a NY School</b>	<b>Of those how many were attending Fountains Earth Primary School</b>
October 2017 Census	27	20
October 2018 Census	23	20
October 2019 Census	17	16
October 2020 Census	13	11
October 2021 Census	17	8
October 2022 Census	16	10

#### Finance

- 3.4 Pupil numbers determine the funding for a school budget. The DfE have confirmed that in the exceptional situation 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. North Yorkshire Council will not receive a school funding allocation for Fountains Earth Primary in the 2024/25 financial year as no pupils will be recorded on the DfE October 2023 school census. 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.
- 3.5 The Upper Nidderdale Primary Federation operate an amalgamated budget for the three schools within the Federation. The 2023/24 Start Budget for the Upper Nidderdale Primary Federation indicated the following revenue budget position: 2023/24 in year position £22.95k deficit, 2023/24 accumulated balance £69.44k surplus, 2024/25 in year position £76.49k deficit, 2024/25 accumulated balance £7.05k deficit, 2025/26 in year position £104.81k deficit, 2025/26 accumulated balance £111.86k deficit.
- 3.6 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. In order to protect, as far as possible, the financial position of a school that is subject to a closure proposal, the local authority implements additional financial controls in respect of requiring local authority approval of significant expenditure items, staffing changes and budget monitoring. In the instance of an amalgamated federation budget, the local authority additional financial controls would apply to the overall federation.

- 3.7 In the event of Fountains Earth closing on the 31 March 2024, any legacy costs associated with the operation of the school incurred in the 2023/24 financial year would need to continue to be charged to the Fountains Earth school budget. Any final deficit on the school budget, after all costs have been accounted for, would need to be met from local authority funds.

#### Staffing

- 3.8 Over the last five years it has not been possible to recruit a permanent Teacher, which has been attributed to the remote location and the challenges of recruiting a high level of experience and skill required to teach a wide range of ages and abilities and with such small pupil numbers on roll in a single class structure from reception pupils to year 6. Staff retention has also proved difficult with a high turnover of staff over the last five years resulting in use of agency staff which comes with increased staffing costs. The school is just over six miles from Pateley Bridge at the top end of Nidderdale which, by virtue of the local road, can be a slow journey as part of a longer commute for staff. The Governors report that feedback from recruitment agencies is that many teachers with the necessary skills and experience do not choose to apply to work at Fountains Earth; alternatively they request additional money because of the remote location, and that feedback from temporary supply staff and former permanent staff is that the outlying location of the school is a material consideration in their decision to seek employment elsewhere.
- 3.9 Supply staff only need to give a day's notice, and this leaves Fountains Earth, and the other schools in the Federation vulnerable to disruption and it adversely affects the consistency and quality of education provision at the school. Recruitment of the right people is a time-consuming activity which has required a substantial amount of the federation's Senior Leadership Team resource over the past few years. Staff across the federation support each other, but this can lead to a disproportionate use of resource across the federation compared to the total of pupils on roll across the three schools.

#### School Leadership

- 3.10 There is a Leadership Team across the three schools within the federation which is led by an Executive Headteacher. Subject leaders were appointed to work across the collaboration of three schools in April 2021.

#### Standards and Curriculum

- 3.11 The most recent full graded Ofsted inspection for Fountains Earth was in April 2017. At that time there were 22 pupils on roll. Ofsted judged the school, to be 'Good'. A short monitoring (section 8 inspection) took place in June 2022 when there were 11 pupils on roll. The report stated that the school continued to be a 'Good' school.

- 3.12 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, Lofthouse there is no real prospect of them being able to get a full and balanced school experience in the absence of any peers.
- 3.13 St Cuthbert's was last inspected in October 2022 (Ofsted section 5 inspection) and found to be 'Good'. St Cuthbert's was last inspected under SIAMS in November 2021 and found to be 'Good'. Glasshouses Community School was last inspected by Ofsted in March 2022, and the outcome was that the school continues to be a 'Good' school.

#### **4.0 PRIMARY SCHOOL PLACES IN THE LOCAL AREA**

- 4.1 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. In October 2022 there were 16 pupils living in Fountain's Earth discrete catchment area and attending a North Yorkshire school. Of the 15 pupils attending the school at the time of the October 2022 census, 10 pupils were from the Fountain's Earth, Lofthouse catchment area and three were from the St Cuthbert's area. Two pupils were attending from the catchment areas of Harrogate Town schools.
- 4.2 There are two primary schools within an eight mile radius of Fountains Earth, Lofthouse, **Appendix 1**. There are a number of other primary schools located on the periphery of this radius and across the area there are surplus places available **Appendix 2**.
- 4.3 The nearest school to Fountains Earth, Lofthouse, Primary School is St Cuthbert's CE VC Primary School, Pateley Bridge. The next nearest school is Glasshouses Community School. The conclusion is that St Cuthbert's, 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 in the event of a closure. The Diocese is aware of the current circumstances of Fountains Earth school and is supportive of the proposed consultation regarding both the closure and the catchment area change **Appendix 3**.
- 4.4 There is currently capacity in all year groups at St Cuthbert's as the nearest alternative school and at Glasshouses Community School (apart from Year 3) which is the next nearest school. There is also capacity available at schools which are further away. Places are available at Summerbridge Primary School, Kirby Malzeard CE School and Grewelthorpe CE Primary although not in all year groups. Masham CE School has places available in all year groups. These schools were all judged 'Good' in their last Ofsted inspection.
- 4.5 **Appendix 4** provides projected numbers based on forecast birth rates, with potential additional pupils from outstanding housing permissions and proposed housing allocations in the Harrogate District Local Plan, prepared and adopted by the former Harrogate Borough Council.

#### **5.0 IMPACT ON THE FEDERATION**

5.1 The Upper Nidderdale Primary Federation of schools have operated an Executive Headteacher arrangement with leadership costs apportioned between each school, as is typical of federations. The potential closure of Fountains Earth, Lofthouse would result in a two schools federation of St Cuthbert’s and Glasshouses Primary Schools with the existing three school federation being dissolved. Governors are aware that the other two schools are likely to face an increased proportion of leadership and other shared costs. A new instrument of governance would be required to reflect the change to the federation should closure take place in March 2024.

**6.0 SCHOOL SITE AND BUILDINGS**

6.1 The ownership of the school site is currently being verified and the outcome will be reported publicly during the consultation process, if approved. Decisions about the future of school sites following a closure are separate to the closure decision itself, and would follow at a later date.

**7.0 CONSULTATION PROCESS AND TIMESCALE**

7.1 Should a decision be made to initiate a consultation on the proposed closure of Fountains Earth, Lofthouse Endowed Primary School, a period of six term-time weeks (non-statutory) is recommended good practice but a slightly reduced consultation of five weeks will be implemented to enable the process to conclude by the end of March 2024. A draft timetable is set out below.

7.2 A separate staff consultation process, including a meeting for staff and their professional associations and unions, would run in parallel with the consultation on the closure proposal.

7.3 The final decision on closure would be taken by the Executive (or by the Executive Member for Schools if there are no objections during the representation period).

7.4 Suggested key dates are shown below:

Approval to Consult by Executive Members	7 November 2023
Consultation opens (5 weeks during term time)	17 November 2023 to 22 December 2023
Public meeting	29 November 2023
Consultation closes	22 December 2023
Council’s Executive considers consultation response	23 January 2024
Executive decision to publish statutory notices	23 January 2024
Publication of statutory notices	1 February 2024
Representation period starts (4 weeks)	1 February 2024
Representation period ends	29 February 2024
Final decision by Council’s Executive	19 March 2024
Proposed school closure date	31 March 2024

**8.0 RECOMMENDATIONS**

- 8.1 That the Executive Member for Education, Learning and Skills provide approval to consult on proposals that:
- Fountains Earth, Lofthouse, Church of England Endowed Primary School should close on 31 March 2024
  - In the event of closure, St Cuthbert’s Church of England (Voluntary Controlled) Primary School, Pateley Bridge should become the catchment school for the existing area served by Fountains Earth, Lofthouse, Church of England Endowed Primary School

Stuart Carlton  
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE’S SERVICE.

Report prepared by Sue Turley, Strategic Planning Officer

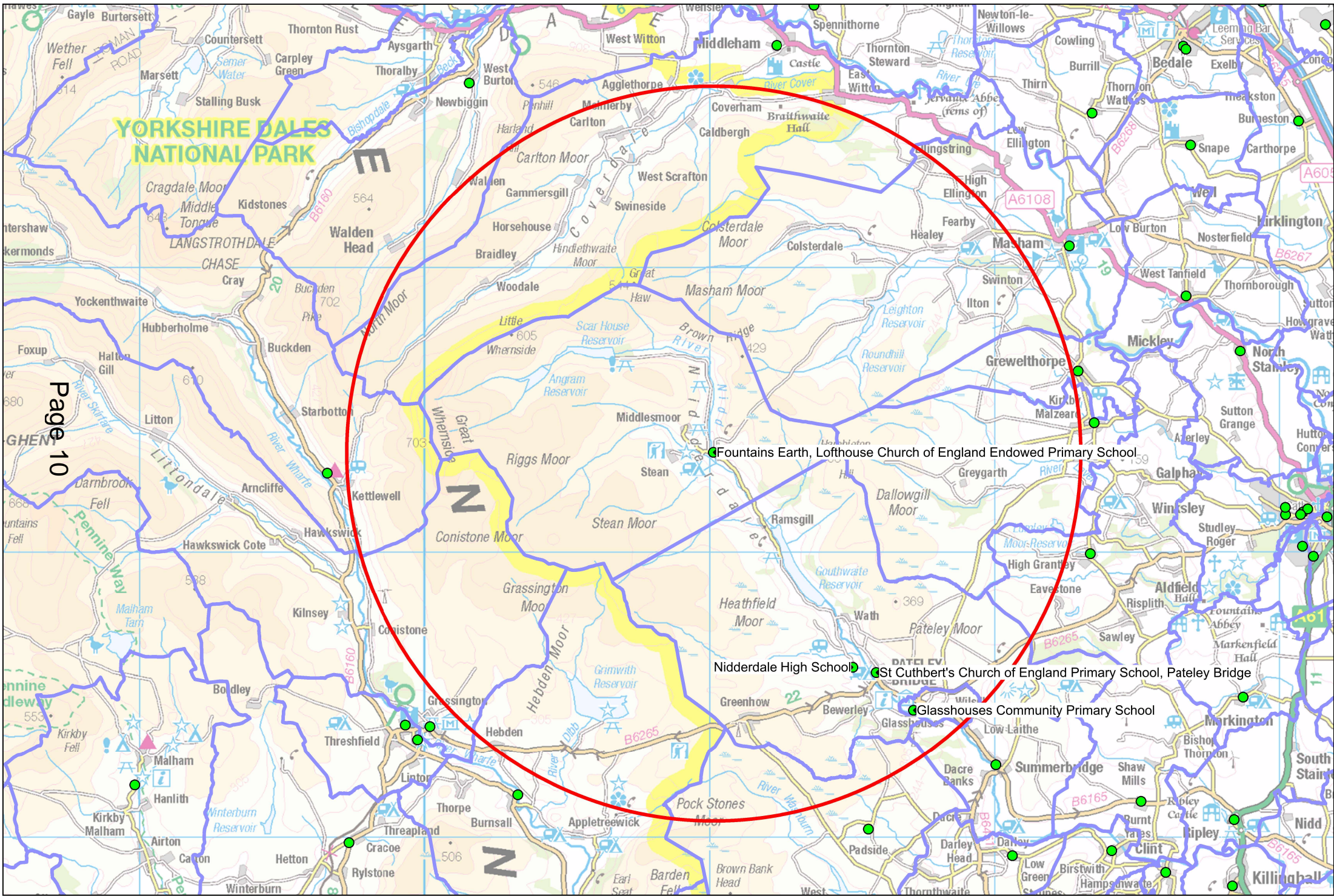
Action Agreed .....Executive Member  
Date:

Action Requested .....Corporate Director  
Date:

**List of Appendices:**

- Appendix 1 - Map of the local area
- Appendix 2 - Indicative Table of Places Available in Local Schools
- Appendix 3 - Map showing Current School Catchment areas and Local Schools as well as potential future catchment proposals
- Appendix 4 - Local Schools Capacity and Forecast

Schools within an 8 mile radius of Fountains Earth, Lofthouse CE Endowed Primary School



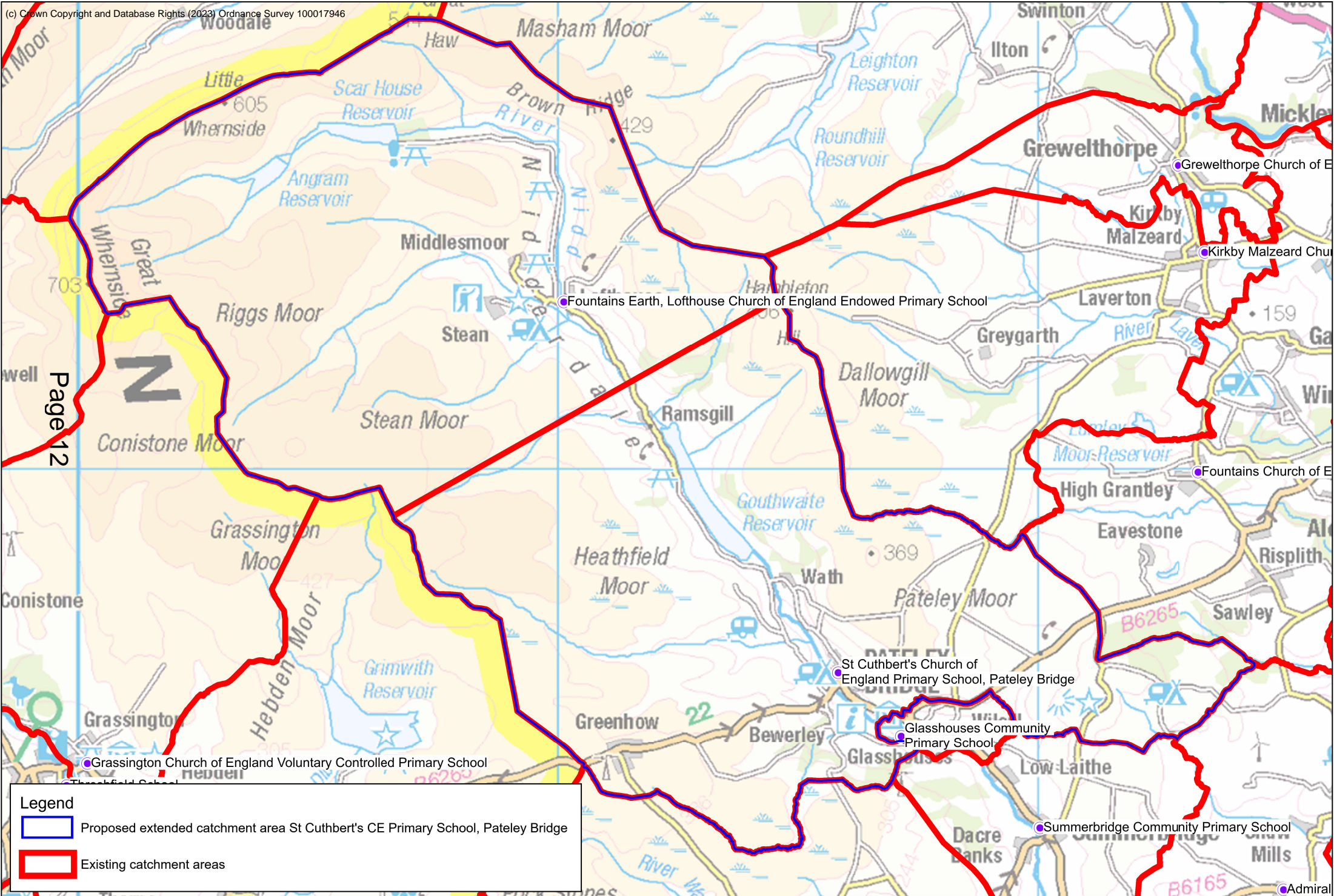


**Appendix 2:** Indicative table of primary school places available in local schools September 2023



Primary School	Distance by road from Fountains Earth Lofthouse (miles)	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total on roll
Fountains Earth, Lofthouse CE VC	N/A	Places	Places	Places	Places	Places	Places	Places	0
St Cuthbert's CE VC	6.5	Places	Places	Places	Places	Places	Places	Places	48
Glasshouses Community School	8.1	Places	Places	Places	PAN	Places	Places	Places	51
Summerbridge School	10	Places	Places	Places	Places	PAN	PAN	PAN	73
Kirkby Malzeard CE VC	9.7	Places	PAN	Places	PAN	Places	PAN	Places	89
Grewelthorpe CE	11	Places	PAN	PAN	Places	Places	PAN	PAN	76
Masham CE VA	11 via Fearby Road	Places	Places	Places	Places	Places	Places	Places	73

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

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**Legend**

-  Proposed extended catchment area St Cuthbert's CE Primary School, Pateley Bridge
-  Existing catchment areas

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**Appendix 4: Pupil number projections, including future demand from housing developments**

	<b>St Cuthbert's CE VC</b>	<b>Glasshouses Community</b>	<b>Kirby Malzeard CE VC</b>	<b>Summerbridge Primary</b>	<b>Grewelthorpe CE</b>	<b>Masham CE VA</b>
	Federated with Fountains Earth, Lofthouse and Glasshouses	Federated with Fountains Earth, Lofthouse and St Cuthbert's		Yorkshire Collaborative Academy Trust	Leeds Diocesan Learning Trust	
Distance from Fountains Earth Lofthouse by road (miles)	6.5	8.1	9.7	10	11	11 (shortest route by Fearby Road)
Last Ofsted inspection	Good October 2022	Good March 2022	Good March 2018	Good February 2022	Good March 2022	Good July 2019
Net Capacity (total places at the school)	119	70	105	81	70	116
Current pupil roll 23/24	48	51	89	73	76	73
Current capacity -/+						
Pupil roll 2024/25	52	49	95	69	74	68
Pupil roll 2025/26	48	47	94	62	70	65
Pupil roll 2026/27	52	46	99	58	70	63
Pupil roll 2027/28	50	38	97	58	71	59
Pupil roll 2028/29	48	36	96	59	63	58
Pupils from outstanding permissions by 2025/26	2	8	13	8	2	21
Potential pupils from future housing – Local Plan (over 15 yrs)				6		0

\*Based on 1 primary-aged pupil from every 4 houses

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