

NORTH YORKSHIRE COUNCIL

THE EXECUTIVE

21 January 2025

PROPOSAL TO CEASE TO MAINTAIN HACKFORTH AND HORNBY CHURCH OF ENGLAND (VOLUNTARY CONTROLLED) PRIMARY SCHOOL

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

1.0 PURPOSE OF REPORT

1.1 This report details the outcomes of the consultation carried out by the Council on the proposal to close Hackforth and Hornby CE VC Primary School and asks the Executive to authorise the publication of proposals and statutory notices, and to schedule taking a final decision on the proposal on 18 March 2025.

2.0 EXECUTIVE SUMMARY

2.1 At a meeting of the Governing Board of Hackforth and Hornby CE VC Primary School on 11 June it was agreed that a formal request should be submitted to the council for consultation to be undertaken in respect of the discontinuance of education at the school.

2.2 On 5 November 2024, the Executive Member for Education, Learning and Skills gave approval for a consultation on a proposal to close Hackforth and Hornby CE VC Primary School with effect from 31 August 2025. The report provided the full background and is attached as Appendix 1.

2.3 This report details the responses to this consultation and asks the Executive to authorise the publication of statutory proposals and notices, and to schedule taking a final decision on the proposal on 18 March 2025. If approved, the school would close on 31 August 2025.

2.3 The report is supported by several Appendices as listed below:

Appendix 1: Report of Corporate Director Meeting with Executive Member for Education, Learning and Skills – 5 November 2024

Appendix 2: Published Consultation Paper

Appendix 3: List of the Consultees

Appendix 4: Note of the Public Meeting

Appendix 5: Consultation Responses

Appendix 6: Equality Impact Assessment

Appendix 7: Climate Change Impact Assessment

Appendix 8: Full Draft Statutory Proposals and Statutory Notice

3.0 BACKGROUND

- 3.1 Hackforth and Hornby CE VC Primary School is located in the rural village of Hackforth. The school is defined by the government as a rural school that serves a hamlet 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.
- 3.2 The Governing Body of Hackforth and Hornby CE VC Primary School have worked to support the School through a collaboration with the Federation of Snape and Thornton Watlass Primary Schools, which has been in place since September 2021. As part of the collaboration, there is shared leadership across the three schools, which is led by the Executive Headteacher of the Snape and Thornton Watlass Federation.
- 3.3 In Autumn 2024 Governors brought forward a proposal to consult on the closure due to low pupil numbers and an expected low Reception intake in September 2025 leading to a decline in the overall number on roll. This has led to financial pressures, meaning that the school will have an in-year deficit of £58,500 and cumulative deficit of £81,600 in 2025/26. Governors have requested the consultation at this time as they have identified the importance of a decision on the school's future being made before the end of this academic year.

4.0 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 the 7 November 2024. A copy of the Report is attached as Appendix 1.
- 4.2 A consultation paper setting out the proposal was sent to staff of the school as well as other interested parties and individuals. A copy of the Consultation Paper is attached as Appendix 2 together with a list of the consultees at Appendix 3.
- 4.3 The consultation period ran from 11 November to 20 December 2024. A public meeting was held on 4 December and was attended by officers of the Council, a representative from the Diocese of Leeds, Governors, a number of parents, members of the local community and other local stakeholders. A record of that meeting is attached as Appendix 4.
- 4.4 By the closing date of the consultation, 6 consultation responses had been received to the proposals. Consultation responses are shown at Appendix 5.
- 4.5 The following section of the report summarises the main issues raised by individuals who submitted a written response to the consultation. It also summarises the issues raised at the public meeting on 4 December 2024.

5.0 ISSUES RAISED AND RESPONSES

- 5.1 One respondent expressed the view that the school wasn't viable and that it should close. However, most of the responses to the consultation were not

supportive of the proposal. The comments against the proposal, particularly from the local community, stated that there was a need for the school locally. A number of attendees at the public meeting saw the closure as a negative. A number of parents of children attending the school felt that the school met a particular need for their children that they did not think could be met by another primary school.

5.2 The key issues raised during the consultation process are listed below alongside relevant responses from officers.

5.3 Capacity in New Catchment Schools

Hackforth Combined Parish Council responded that the availability of places in the proposed shared catchment area schools, and in one school in particular, were insufficient. Others argued that the quality of provision at the other schools were not as high as at Hackforth and Hornby CE VC Primary and therefore the alternative schools available were not appropriate or 'suitable'.

5.4 Response

There are currently 8 pupils at Hackforth and Hornby CE VC Primary and (with three in Year 6) there are projected to be 5 pupils in need of an alternative school place for September 2025, if the school closes. The combined number of available spaces (against Net Capacity) at the five proposed catchment schools of Crakehall Church of England Primary School, Michael Syddall Church of England Aided Primary School, Aiskew Leeming Bar Church of England Primary School, Kirkby Fleetham Church of England Primary School, and Hunton and Arrathorne Community Primary School is 185. There are places available in local schools in all year groups, however some of the schools are operating at or above PAN in some year groups, as can be seen in Appendix 3 of the Report to the Executive Member¹. The school mentioned by the Parish Council is below PAN in each year group. If the decision is made to proceed with the statutory notices and proposed closure, council officers will work with parents and families to identify spaces for their children. In the latest inspection reports published by Ofsted, all five of the proposed catchment schools were judged to be 'Good' schools. Parents should apply to a particular school through the School Admissions Team who will support them to select a school.

5.5 Importance of the School to the Community

A respondent referenced the importance of the school to the community. Hackforth Combined Parish Council said it would be 'a big loss to the village if closed'.

5.6 Response

This clearly demonstrates the strength of feeling from some members of the community about the importance of the school to the local area. In some villages the school itself may be the only building large enough to facilitate

¹ Indicative Table of Primary School Places – Appendix 3 of Report to Executive Member

community gatherings however, in the case of Hackforth and Hornby there is Hackforth Village Hall adjacent to the school which is available for hire. Hackforth Village Hall also serves Hornby and Langthorne. Whilst the school is clearly valued strongly by respondents to the consultation, of the 20 primary aged pupils living within the school's catchment area, only 2 are attending Hackforth and Hornby CE VC Primary, with parental preference for other schools significantly outnumbering preference for Hackforth and Hornby in all year groups.

There is also Saint Mary's Church in Hornby, a short distance (1.8 miles) from the school. Children from the school regularly visit the Church and there would be an impact, in that these visits would decline and the proportion of church school places would reduce, should the school close. The local authority has an obligation to consider the impact on the proportion of church school places when it determines the outcome of school closure proposals. The Anglican Diocese of Leeds is supporting the local authority with the consultation and the proposal. Although the local authority should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of relevant denominational places in the area this guidance does not apply in cases where the school is severely undersubscribed.

5.7 Religious Character of Education Provision

The religious character of Hackforth and Hornby was commented upon.

5.8 Response

The educational landscape of North Yorkshire includes a variety of types of educational settings and some of these have a religious character. Hackforth and Hornby primary school has a Church of England (CE) designation. However, four of the proposed catchment schools have a CE designation. In selecting the proposed catchment schools, should Hackforth and Hornby close, council officers have been mindful of the importance for parental choice of CE designation.

5.9 Effect on pupils

Some responses referenced that closing the school would have a negative impact upon the current pupils of the school and that children at Hackforth and Hornby CE VC Primary are enjoying their education at the school and shouldn't be moved.

5.10 Response

It is acknowledged that if the proposal goes ahead there will be some disruption to pupils, although schools and the Council will work hard to minimise this. A preferencing exercise will enable parents to express a preference for where pupils would go if the school closes. If the decision is taken to publish statutory notices for closure, then the Council will support parents through this process. The school leaders will support children's transitions to new settings if this is necessary after the decision.

5.11 Future of Site

Responses raised some concerns about future use of the site. Hackforth Combined Parish Council asked whether there is a particular covenant in the school building deeds.

5.12 Response

Decisions about the school site will be taken by the owners of the site after the closure proposal has been determined. The initial legal examination of documents suggests that ownership of the building is held by the Diocese of Leeds and the Diocese would need to determine future management and use of the building.

5.14 Educational Standards

Respondents shared a view that the school is a very good school and that the education it provides both academically and pastorally is well valued.

Response

The reason for this closure proposal being brought forward are predominantly due to low pupil numbers and the financial issues that this creates for the school going forward, and not the standard of education being provided by the school. However, it has been noted by Council officers that as pupil numbers fall very low it becomes increasingly difficult to provide certain aspects of the curriculum effectively.

5.15 Inclusivity of School

Respondents referenced that Hackforth and Hornby CE VC Primary School is well regarded for the education that it provides for pupils with Special Education Needs and that pupils with SEN were particularly well supported at the school. It was reflected that smaller group sizes were a benefit in this regard.

5.16 Response

It is acknowledged that the school is held in high regard for the support it provides to pupils with Special Educational Needs. If the school does close, then the Council will support parents to ensure the best possible outcomes for their children. All schools have a responsibility to ensure that children with special educational needs through SEN Support or via an Education Health and Care plan receive the education that they require.

5.17 Marketing

It was stated at the public meeting that the Local Authority and the Governing Board had not marketed or supported the school sufficiently.

5.18 Response

Marketing the school is the Governing Board and school's responsibility and there has been work done to promote the school. The LA provides relevant information on local schools when parents ask about schools within the vicinity of their home address and there are online tool on the council's website which parents can use to find out their catchment and nearest schools. However, ultimately the council has a duty to meet parental preference through its admissions processes.

The council's officers would not agree that there has been a lack of support shown to the school. The council values all of its schools and provides support for them on a basis commensurate to their situation at any particular time. There have been periods where extensive support has been provided to Hackforth and Hornby CE VC Primary School. An example would be the routine support provided by the School Improvement Service to ensure standards have been maintained in the school. Other examples would be the support provided in specific situations, as when the school required new leadership support when the Council supported the school through the process to collaborate with a federation.

5.19 Viability

Whilst most written responses did not support the closure of the school a number of respondents expressed the view that the school was no longer viable due to the small number of pupils currently in attendance. One respondent stated that resources needed to be prioritised to other schools with more pupils.

5.20 Response

The low number of pupils attending the school and the related financial difficulty is ultimately the reason for the proposal.

5.21 Catchment Areas

As part of the consultation the Local Authority welcomed comments on the proposed shared catchment area if Hackforth and Hornby closes. Of the responses received only three specifically mentioned the catchment proposals and one of those supported the shared catchment area proposal and mentioned the Church of England designation in the alternative schools. One of these comments asked why schools on Catterick Garrison were not also included in the proposal. Another referred to the council's Home to School Transport Policy and stated that there are no safe walking routes.

5.22 Response

There was limited comment upon the changes proposed for the catchment area as part of the consultation. Regarding the suggestion that the proposed shared catchment should be widened further to include Catterick Garrison, Michael Syddall CE VA Primary School is in Catterick Village and is included in the shared catchment proposal. Catterick Garrison does not directly border Hackforth and Hornby's catchment area and, therefore, it is not considered to

be appropriate for it to be included. However, parents inside the proposed shared catchment area could apply for places at Catterick Garrison schools for their children.

Regarding the comment about safe walking routes, the council has an established process for parents to request an assessment of a walked route to school to determine its safety or otherwise. The assessments are undertaken utilising the guidance Assessment of Walked Routes to School produced by Road Safety GB.

5.23 Conclusion

It is the view of Local Authority Officers that none of the points raised as part of the consultation affect the fundamental reasons for consulting on closure as set out in the report to members. The school currently has 8 pupils on roll and, as at 20 December, there were no applications for places in the Reception at the school for the 2025/26 academic year.

6.0 KEY ISSUES

6.1 The decision to consult on a proposal to close Hackforth and Hornby CE School is driven by three key reasons.

6.2 Low pupil numbers

6.3 Quality of curriculum experience

6.4 The school's financial position

The consultation document set out these key concerns. The latest position on these issues is summarised below.

6.2 Low Pupil Numbers

The number on roll has fallen since 2017. The school has a net capacity of 42 spaces. As of January 2025 there are 8 children on roll in the school and they are all of Key Stage 2 age. Forecasts indicate that these numbers will not recover significantly in the longer term.

Year Group	Number on Roll
Reception	0
Year 1	0
Year 2	0
Year 3	1
Year 4	1
Year 5	3
Year 6	3
Total	8

6.3 Quality of Curriculum Experience

The most recent full graded Ofsted inspection for Hackforth and Hornby CE VC Primary School was in November 2022. Ofsted recorded 12 pupils on roll at the time of their inspection and their overall judgement was Good.

However, as numbers fall, the Governing Board and the Local Authority have become increasingly concerned that pupils will not have access to the full range of experiences they need, particularly opportunities for working and playing with children their own age.

6.4 The Financial Position

Pupil numbers are a significant factor in determining the school budget under the national funding formula, and the fall in pupil numbers has undermined the school's future financial position. The school is projecting an in-year deficit of £58,500 and cumulative deficit of £81,600 in 2025/26. These figures could deteriorate further and there appears to be no reasonable long-term prospect of recovery for the revenue element of the budget given the very low numbers of Reception age children for 2025/26 and 26/27 intakes living with the catchment area.

6.5 Conclusion

The consultation including the public meeting has provided a forum for people to express their views and respondents have been pragmatic about the fundamental issue of very low numbers and its impact on the financial and educational viability of the school. The consultation process has failed to identify a viable alternative option that would secure the school's future. It appears unlikely that such an option could be identified in future. Local Authority Officers have concluded that closure of the school would be in the best interests of the children at the school and the future education of pupils in the area. There are places available at other local schools and within a reasonable travel distance. It is therefore the view that there is a strong case for closure which outweighs other considerations.

7.0 PROPOSAL

7.1 The proposal is to cease to maintain Hackforth and Hornby Church of England VC Primary School from 31 August 2025. The proposals include that, in the event of closure, the catchment area currently served by Hackforth and Hornby Church of England VC School will be shared between Crakehall Church of England Primary School, Michael Syddall Church of England Aided Primary School, Aiskew Leeming Bar Church of England Primary School, Kirkby Fleetham Church of England Primary School, and Hunton and Arrathorne Community Primary School. It is proposed that the catchment areas of these schools should each be extended to include the current Hackforth and Hornby catchment area, as a shared catchment area. These arrangements would be implemented from September 2025 only in the event of closure for Hackforth and Hornby.

The full statutory proposal is set out in Appendix 8. This includes details about pupil numbers, alternative schools, impact on the community and travel implications.

7.2 The proposed timetable would be:

31 January 2025	Publication of Statutory Proposals
28 February 2025	Closing date for representations (4 weeks as prescribed in regulations and cannot be shortened or lengthened)
18 March 2025	Final decision by Executive
31 August 2025	Proposed closure date

8.0 FINANCIAL IMPLICATIONS

8.1 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 made available to the receiving school(s) in line with the Closing School Accounting Policy.

8.2 Transport costs

If the school closed, there could be a potential additional cost to the Council in providing transport to other schools. Home to school travel assistance would be provided for eligible pupils in accordance with the Council's Home to School transport policy. Costs will depend on the individual choices of schools by parents, and may also depend on the circumstances of individual pupils.

9.0 LEGAL IMPLICATIONS

9.1 The School Organisation regulations and guidance² cover the processes involved in school closures. Careful regard has been paid to these provisions.

9.2 Presumption Against Closure of a Rural School

As Hackforth and Hornby Church of England VC Primary 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 that the 'case for closure should be strong and the proposal must be clearly in the best interests

² School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and Department for Education Opening and closing maintained schools. Statutory guidance for proposers and decision-makers (January 2023).

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

These factors are considered in detail in the draft Statutory Proposal, attached as Appendix 8.

Briefly, the following is a summary of the issues which need to be considered under the Presumption Against Closure of a Rural School statutory guidance and which are explicitly addressed in the Statutory Proposal:

A) *Educational standards at the school and the likely effect on standards at neighbouring schools.*

The standards at Hackforth and Hornby CE VC Primary School have not been a key factor in bringing forward this proposal nor are the displaced pupils expected to have any effect on the standards of neighbouring schools.

The council highly values the provision of education by small schools and, due primarily to its geography, North Yorkshire has approximately 100 primary schools with fewer than 100 pupils on roll and approximately half of these schools with fewer than 50 pupils on roll. Although there is no straightforward correlation between the number of pupils on roll at a school and its standards, it is considered that when pupil numbers get extremely low, as in this instance, it is increasingly challenging to deliver the full breadth of curriculum and enable the social and emotional opportunities required for pupils in similar age peer groups.

As at 20 December only 5 pupils remained on Hackforth and Hornby CE VC Primary School's roll who will require an alternative primary school place in the event that the school closes. Given the significant level of surplus places within local schools officers consider that the accommodation of these pupils will have a minimal impact.

B) *Any alternatives to the discontinuance of the school.*

The collaboration with, and the leadership by the Executive Headteacher of, the Federation of Snape and Thornton Watlass aimed to improve viability. Other alternatives to closure have been carefully considered by the governing board and the Council, including conversion to academy status and joining a multi-academy trust and the scope is limited under due diligence and the financial position.

C) *The availability, and likely cost to the local authority, of transport to other schools.*

Home to school travel assistance would be provided for eligible pupils in

accordance with the Council's home to school travel policy. Costs will depend on the individual choices of schools by parents and may also depend on the circumstances of individual pupils.

D) *Any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and whether the proposal will result in unreasonably long journey times.*

It is challenging to ascertain the degree to which this proposal will cause an increase in journeys and mileage of those journeys. Some of the pupils that have attended Hackforth and Hornby CE VC Primary historically will have travelled by car and this is particularly true for pupils attending from outside the catchment area. The nature of parental preference and the choice of method to get to school including taking account of any lift sharing is also difficult to account for. If all parents chose to send their children to schools further afield then this could increase CO² emissions from transport associated with this cohort. However, it must also be acknowledged that maintaining a school itself has an impact on energy and carbon emissions and climate change. At present the school is being heated and powered for 8 statutory school age pupils, not an efficient use of energy. A Climate Change Impact Assessment forms Appendix 7 of this report and addresses the issue in further detail.

Attendance at any of the schools proposed as catchment schools for the current Hackforth and Hornby catchment area could be achieved without causing unreasonably long journey times. As a general guide, the government's maximum recommended travel time for primary age pupils is 45 minutes each way and the proposed catchment schools are considerably closer than that to the relevant settlements within the current Hackforth and Hornby catchment area.

E) *The likely effect of the discontinuance of the school on the local community.*

To summarise information provided in more detail in Section 5 above, whilst the closure of the school will have an impact on any village, there are other venues that the local community can utilise, and they currently use Hackforth Village Hall rather than the school building for community events. As stated in more detail in the Executive Member Report (Appendix 1) and the Consultation Paper (Appendix 2) in relation to whether the school is being used by the local community, the proportion of pupils attending the school from within the local community is very low amounting to only 2 pupils of the 20 primary aged children living in the catchment area.

10.0 HUMAN RIGHTS IMPLICATIONS

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

11.0 OTHER IMPLICATIONS

11.1 An Equality Impact Assessment has been undertaken in respect of this proposal and is attached (Appendix 6). The purpose of the consultation and proposed decision is to ensure that the children are provided with the best education provision in the area in a sustainable, stable and effective manner. To achieve

these aims the proposal to close Hackforth and Hornby CE VC Primary School needs to be considered. Whilst it is recognised that there may be adverse impact upon those with protected characteristics of age and religion/belief, there are more positive impacts that will result if these proposals are implemented. As these proposals develop any adverse impacts will be carefully monitored, and all reasonable mitigations will be taken.

12.0 NEXT STEPS

- 12.1 It is proposed to publish proposals and statutory notices on 31 January 2025. The proposals would be published on the Council's website and the statutory notice would be published in a local newspaper and displayed at the main entrances to the school. These would provide four weeks for representations to be made to the Council, by 28 February 2025.
- 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 18 March 2025.

13.0 RECOMMENDATIONS

13.1

- i) Statutory proposals and notices be published on 31 January 2025 proposing to cease to maintain Hackforth and Hornby Church of England VC Primary School with effect from 31 August 2025.
- ii) The proposals include that, in the event of closure, the catchment area currently served by Hackforth and Hornby Church of England VC School will be shared between Crakehall Church of England Primary School, Michael Syddall Church of England Aided Primary School, Aiskew Leeming Bar Church of England Primary School, Kirkby Fleetham Church of England Primary School, and Hunton and Arrathorne Community Primary School.
- iii) The Executive schedule taking a final decision on these proposals on 18 March 2025.

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Report prepared by Mark Ashton, Strategic Planning Team

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