

NORTH YORKSHIRE COUNTY COUNCIL

THE EXECUTIVE

12 October 2021

SCHOOL CLOSURE PROPOSAL BALDERSBY ST JAMES CE PRIMARY SCHOOL

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

1.0 PURPOSE OF REPORT

- 1.1 This report details the position regarding the school closure proposal for Baldersby St James CE Primary School. The report seeks authorisation of the Local Authority’s formal response to Hope Sentamu Learning Trust during the current Listening Period. The Executive is also asked to consider the proposals for the future treatment of the School’s catchment area.

2.0 BACKGROUND

- 2.1 Under his delegated decision making powers in the Officers’ Delegation Scheme in the Council’s Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed in September 2021.

3.0 EXECUTIVE SUMMARY

- 3.1 Baldersby St James CE Primary School became an Academy on 1 September 2018 joining Hope Learning Trust (which later merged to become Hope Sentamu Learning Trust (the Trust)) through voluntary conversion. There is a current proposal that the School should close on 31 August 2022.
- 3.2 Academy Trusts considering closure follow Departmental guidance titled ‘Making significant changes to an open academy and closure by mutual agreement’ (the Guidance) under which the Secretary of State is the decision maker. This is a different process to that for LA maintained schools where NYCC (through Executive) is required to formally determine closure proposals.
- 3.3 During the 2020/21 academic year LA Officers were made aware that the Trust and the Department for Education (DfE) were in early stage discussions about the future of the School. LA information on local school places was provided for their consideration.
- 3.4 The process has now reached the public ‘Listening Period’ as referred to in the Guidance. As Baldersby St James CE Primary School is designated as a Rural School the LA is required to provide its view on the proposal. This is the first proposed closure of an academy in North Yorkshire and therefore no specific precedent for due process. After consideration it was determined that the LA decision making route should reflect that for closure of a maintained school in that Executive approval for the content of the formal LA response would be

sought.

3.5 Baldersby St James CE primary School has retained its original catchment area since conversion in 2018. The Executive are also asked to consider proposals for the future treatment of the School's catchment area from 1 September 2022.

3.6 The report is supported by a number of Appendices as listed below:

Appendix 1: Formal notification letter from Hope Sentamu Learning Trust 10 Sept 2021

Appendix 2: Pupil forecast for Baldersby St James School

Appendix 3: Local school capacity and pupil forecasts

Appendix 4: LA communications to parents/carers

Appendix 5: Catchment maps and proposals

Appendix 6: Equality Impact Assessment

4.0 THE CLOSURE PROCESS FOR AN ACADEMY

The overall process

4.1 Academy Trusts considering closure follow Departmental guidance titled 'Making significant changes to an open academy and closure by mutual agreement' [Making significant changes to an open academy and closure by mutual agreement \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) (the Guidance) under which the Secretary of State is the decision maker. The process is, and has been, managed by officers of the Trust and the DfE. The Guidance sets out a six stage process:

		Notes on the LA role in the process
Stage 1	Consideration of closure	LA officers provided information on local school place sufficiency in April and May 2021
Stage 2	Seeking in principle agreement	
Stage 3	In principle decision	The LA has been advised that this decision was taken on 28 June 2021
Stage 4	Seeking a substantive decision on closure	
Stage 5	Substantive closure decision	On 23 August 2021 the LA were informed that the Minister had agreed a substantive decision to close and to progress to the listening period
Stage 6	Approval and Implementation of the closure plan	

The Listening Period

4.2 Following a substantive decision (Stage 5) from the Secretary of State to proceed to closure, the Trust is guided to share news of the closure with pupils, parents, staff, unions, relevant LAs and schools elsewhere in the local area at the earliest opportunity and to conduct a listening period. The Guidance states that '*the listening period is an opportunity for stakeholders and interested parties to be provided with information as to why the school is closing and how it is proposed the closure process will operate. Likewise, it is an opportunity for stakeholders and interested parties to submit their views on how the school closure process can be best managed*'. The listening period for Baldersby was announced to parents/carers by the Trust on Thursday 9 September during a meeting at the School which was supported by LA and Diocesan Officers. The formal listening period runs between 10

September and 22 October 2021. This is longer than the minimum four weeks to allow for consideration by NYCC Executive and subsequent submission of the LA's formal response.

Closure of rural schools

4.3 On rural schools the Guidance states:

'there is a presumption against the closure of rural primary schools. In respect of academies, this means that both the department and the LA need to agree to the closure of a rural academy, and where the school is designated as having a religious character the trustees of the school and appropriate religious authority also need to agree to closure. The presumption does not mean that a rural school will never close, but it does mean that the case for closure should be strong and that the closure is clearly in the best interests of educational provision in the area.'

4.4 The LA are described as an *'interested party'* within the Guidance with whom the Trust should discuss their closure plans during the listening period. For non-rural schools there is no explicit expectation of the need to respond to the proposal. However, the rural school status of Baldersby St James does mean that the LA is obliged to respond with its formal view. Irrespective of school designation, it is hard to envisage a scenario where the LA would not formally respond to an academy closure proposal given our statutory duty for school place sufficiency.

4.5 Officers have sought clarification as to the process were the LA to object to this proposed closure. In that event, we would expect the DfE to want to understand why the LA held that view and further consider any information we provided. However, our understanding is that an LA objection would not necessarily indicate that the School would not close, as the Secretary of State is the ultimate decision maker for academies. We further understand that the same position would apply should the LA wish to defer or delay its response. The DfE would want to discuss why the LA have taken that stance, but a lack of response would not necessarily delay or halt the process. This information is only provided for Members to note, as this report concludes that there is no evidence on which to base an objection or withhold a response.

4.6 The Guidance states that when considering closure of a rural academy due regard should be given to:

- *the likely impact of the closure on the local community, including the loss of the building as a community facility;*
- *the availability, and likely cost, of transport to other schools;*
- *any increase in the use of motor vehicles which is likely to result from the closure of the academy, and the likely effects of any such increase*

4.7 Each of these will be considered in section 7 of this report. Section 5 will cover the position of school place sufficiency, which is the LAs primary duty.

4.8 Members will be familiar that in closure proposals for LA maintained schools both educational and financial viability have been to the forefront of considerations. This report will not comment on either aspect, as they are a matter for the Trust and DfE in this case.

5.0 PUPIL NUMBERS AND SCHOOL PLACE SUFFICIENCY

5.1 Baldersby St James School has an academy funding agreement for 56 places and a maximum assessed capacity of 60 places. The pupil roll at the School has been reducing in recent years:

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Reception	5	8	7	4	6	3	3
Year 1	4	4	12	8	3	4	1
Year 2	7	4	4	9	9	2	5
Year 3	1	7	6	4	4	6	2
Year 4	1	1	7	6	3	4	7
Year 5	4	4	3	6	5	2	4
Year 6	5	5	7	1	5	3	1
Total	27	33	46	38	35	24	23

5.2 The total number of children attending the School at the start of the current academic year was 23. Following the September transfer of a Reception age pupil the current number is 22 (correct as at 20 September 2021). Appendix 2 shows a pupil forecast for the School. The standard methodology predicts a constant intake of three new pupils each year, as was the case for Reception entry in September 2021. Therefore, excluding any impacts from new housing, the total pupil roll is expected to remain in the low twenties for the foreseeable future. There are 36 dwellings with planning approval yet to be delivered in the catchment area. Applying the standard pupil yield factor of one primary aged child for every four new dwellings would potentially result in an additional nine children. However, there is uncertainty attached to this in terms of the timing of the construction, the actual yield that would result and the future school preference for those children.

5.3 As part of the data supplied to the Trust and DfE in Spring 2021 the LA undertook an analysis of the pupils attending the School. This revealed that in October 2020 only nine of the 24 pupils on roll lived in the catchment area of the School, with 15 (62%) of pupils travelling to attend the School from several other areas:

Home catchment school(s)	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Source : Oct 2020 schools census data for Baldersby School								
Baldersby St James Primary	1	2	1	2	3			9
Carlton Miniott Primary Academy		1	1					2
Sowerby Primary Academy	2			1	1	1		5
Outwood Primary & Ripon Cathedral		1					1	2
Topcliffe CofE Academy				1				1
St Peter's Brafferton CE VA				1			1	2
Burneston CE VA Primary School				1			1	2
South Otterington CE Primary						1		1
Total	3	4	2	6	4	2	3	24

5.4 The detailed position for September 2021 is not being shown in this report. This is because the small numbers involved mean that it would be possible to identify individual home locations through the data. However, we can confirm that the current position (correct as at 20 September 2021) is that 11 children attend the School from the Baldersby catchment area making up exactly 50% of the total roll.

5.5 The LA also provided data to the Trust and DfE on the number of primary aged children resident in the School's catchment area who were attending a North Yorkshire School at that time:

Pupil distribution from the Baldersby area	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Source : Oct 2020 schools census data								
Baldersby St James CE Primary	1	2	1	2	3			9
Dishforth Airfield CP School		1		1				2
Carlton Miniott Primary Academy				1				1

Moorside Primary School & Nursery				1				1
Dishforth CE VC Primary School	2		6		1	2		11
Topcliffe CofE Academy		2			2	1	1	6
St Nicholas CE Primary, West Tanfield			1		1			2
Roecliffe CE Primary School							1	1
Sharow CE Primary School			1			1		2
	3	5	9	5	7	4	2	35

5.6 This showed that the School's retention rate of its catchment area pupils was only 25%, with a total of 26 pupils travelling to attend one of eight other North Yorkshire schools.

5.7 A third data set provided by the LA to the Trust /DfE analysed the capacity and pupil projections of the five schools nearest to Baldersby St James School:

School name	School Capacity	Pupil roll Oct 2020	Available space Oct 2020	FCST 21/22	FCST 23/24	FCST 25/26	Projected Spaces available
Baldersby St J	60	24	36	22	25	26	34
Topcliffe CE	105	110	-5	117	120	121	-16
Dishforth CE	105	77	28	88	88	98	7
Alanbrooke	105	59	46	53	39	33	72
Carlton Miniott	205	199	6	195	181	173	32
Sharow CE	99	95	4	102	99	100	-1
Total	679	564	115	577	552	550	129

5.8 This therefore showed that at a headline level we were predicting a total surplus capacity of 69 pupils (550/619 or 11%) in 2025/26 if the Baldersby School capacity were to be removed from future available capacity.

5.9 The updated and more detailed data set is attached as Appendix 3. This is based on the standard NYCC forecasting methodology that has been used by Officers for some time. Key points to note are that:

- The latest data sets used in the methodology are the current numbers on school rolls in September 2021 and Office for National Statistics data from June 2020.
- There are 36 outstanding planning permissions for new housing in the Baldersby St James catchment area which, for forecasting purposes, we have assumed will be delivered by 2026/27. A pupil yield ratio of 1 to 4, should it be achieved, would offset the declining birth rate but still result in a total pupil roll in the twenties at that time.
- There are currently 96 surplus places across the local schools. The declining pupil projections from the underlying birth rate means that even after allowing for the potential impacts of 248 proposed new dwellings the surplus places figure remains at 102 in 2026/27.
- If Pickhill and Sharow schools are also included the comparative figures are currently 126 surplus places – 361 proposed new dwellings – 113 surplus places in 2026/27
- Therefore the projections show that school place sufficiency can be maintained even allowing for the reduction in cumulative school capacity of 56 through the proposed closure of Baldersby St James

5.10 In July 2021, for the first time, the LA was provided (by NHS via the DfE) with access to data identifying by postcode the numbers of Primary aged children registered at GP practices across the County. This, we expect, will provide a greater level of detail for pupil forecast purposes than has previously been possible. We intend to review how this can best be

incorporated into a revised forecasting methodology during this coming year. Analysis of the data for the Baldersby catchment area shows the following:

NHS GP registration data as at 1 May 2021 for the Baldersby School area				
Year Group	Number on roll at Baldersby School by age group	Total GP registrations living in the catchment area by age group	Number of the total who live in Baldersby Civil Parish	Number of the total who live in Rainton with Newby Civil Parish
Rec entry in 2024	?	6	3	3
Rec entry in 2023	?	6	2	4
Rec entry in 2022	?	7	1	6
Rec in 2021/22	2	4	1	3
Y1 in 2021/22	1	3	1	2
Y2 in 2021/22	5	8	4	4
Y3 in 2021/22	2	10	6	4
Y4 in 2021/22	7	8	2	6
Y5 in 2021/22	4	9	4	5
Y6 in 2021/22	1	10	5	5

- 5.11 This data therefore confirms there is no increase in the volume of local pre- school age children when compared to the older cohorts. It is also notable that the majority of pre-school age children live in the Civil Parish of Rainton with Newby, which is relevant to the catchment area proposals covered at Section 5 of this report.
- 5.12 An analysis of the same GP registration data has also been undertaken for the three nearest alternative schools:

NHS GP registration data as at 1 May 2021 by age group				
Year Group	Carlton Miniott School catchment area	Dishforth CE School catchment area	Topcliffe School catchment area	TOTAL
Rec entry in 2024	12	7	13	32
Rec entry in 2023	13	6	20	39
Rec entry in 2022	16	7	16	39
Rec in 2021/22	14	4	23	41
Y1 in 2021/22	11	2	21	34
Y2 in 2021/22	14	9	23	46
Y3 in 2021/22	19	8	24	51
Y4 in 2021/22	15	5	22	42
Y5 in 2021/22	24	14	17	55
Y6 in 2021/22	15	12	27	54

- 5.13 This data therefore confirms there is no increase in the cumulative volume of pre-school age children across the wider area when compared to the older cohorts, and reflects a falling birth rate in the short-term.
- 5.14 Communications that were sent by the LA to parents/carers at Baldersby School in September 2021 are shown in Appendix 4. Within the documents we listed the current numbers on roll and the admission number for the three nearest alternative schools. Some of the year groups in that data set would appear 'full' however, the LA would establish

demand through the proposed preference exercise and work with the three schools to achieve the highest possible preference for each child. Whilst it is not possible to pre-judge the precise outcome of future placements for existing Baldersby School pupils it is worth noting that only 11 of them would have a local connection (by home address proximity) and therefore an admissions priority for one of the three nearest alternative schools.

- 5.15 The way in which the School has drawn pupils from a wider area makes it difficult to predict the dispersal pattern on closure. It may be that a number of parents will have a preference for another school located closer to their home and therefore, we could see that pupils transfer to a greater number of alternative schools than would normally be the case.
- 5.16 Many of the places in the three nearest alternative schools are currently taken up by pupils who live outside of the immediate area due to demand. This somewhat masks the capacity available to meet the school place requirement for local pupils:

Pupil cohorts in the local area Source : Oct 2020 schools census data	School capacity	No. of Primary aged pupils living in catchment area	No. of in-area pupils attending their home school
Carlton Miniott	205	109	80
Dishforth CE	105	48	40
Topcliffe	105	130	67
Sub-Total	415	287	187
Baldersby	0	35	9
Total	415	322	196

- 5.17 This is a significant statistic showing that there is ample capacity across the three schools for the cumulative number of pupils who live in their catchment areas and that of Baldersby St James.
- 5.18 In addition, none of the three schools were oversubscribed with in-area pupils for Reception entry in September 2021:
- Carlton Miniott School, with an admission number of 30, were allocated 30 pupils but with 20 of those living outside of the school's catchment area.
 - Dishforth CE, with an admission number of 15, were allocated 11 pupils with 4 of those living outside of the school's catchment area.
 - Topcliffe School, with an admission number of 15, were allocated 12 pupils with 1 of those living outside of the school's catchment area.
 - Only 1 of those 25 out-area pupils lived in the catchment area for Baldersby St James School
- 5.19 Therefore, looking beyond immediate admissions for displaced pupils, the view is that overall capacity for pupils who either have or would have catchment area priority would be maintained.
- 5.20 The conclusion is that the proposed closure of Baldersby St James CE Primary School would not threaten the LAs ability to maintain local school place sufficiency for the foreseeable future. The key reasons for this are:
- a falling birth rate is evidenced by the NHS data
 - continuation of surplus places is predicted
 - many of the places in local schools are taken up by pupils from out of the area

- there is ample capacity across the three alternative schools for the cumulative number of pupils who live in their catchment areas, and indeed also for those Primary aged pupils who live in the Baldersby St James catchment area.

6.0 CATCHMENT AREA PROPOSALS

6.1 The School is situated in Baldersby St James. The two main population areas within the catchment are Baldersby village to the north of the School, and Rainton village to the south. The catchment area for the School is bordered by the catchment areas of Carlton Miniott, Dishforth CE and Topcliffe Schools to the north, south and east of the School. The western boundary of the School's catchment is formed by the A1, beyond which are the catchment areas for Burneston CE Primary School and Sharow CE Primary School.

6.2 The road distances to the nearest alternative schools are shown below, both from the School itself and from an example location in the villages of both Baldersby and Rainton:

Road distance in miles	Baldersby St James School	Beech Close, Baldersby Village	Carr Close, Rainton Village
Baldersby St James CE School	N/A	1.6	2.3
Beech Close, Baldersby Village	1.6	N/A	3.9
Carr Close, Rainton Village	2.3	3.9	N/A
Carlton Miniott Primary Academy	5.1	3.5	6.7
Topcliffe CE Primary Academy	2.8	4.4	2.5
Dishforth CE School	4.1	4.8 (via A1) or 5.8	2
Alanbrooke School	4.5	4.8	4.2
Pickhill CE School	6.1	4.5	8.4
Sharow CE School	5	5.2	4.1
Burneston CE School	8.1	6.6	9.6

6.3 Because Baldersby and Rainton Villages are approximately 4 miles apart there is a clear difference in terms of their nearest alternative provision. Also notable is that there is little difference in the distance from Rainton Village to either Dishforth CE or Topcliffe schools. Therefore, and following discussions with Elevate MAT and the Diocese of York, officers are of the view that the existing Baldersby St James catchment area would be best served by future arrangements from 1 September 2022 which would see:

- The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village become part of the catchment area for Carlton Miniott Primary Academy
- The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

6.4 The catchment maps are included as Appendix 5 to this report.

6.5 The Ofsted ratings for the three schools are as follows:

- Carlton Miniott – Good – Inspection November 2013
- Dishforth CE – Good – Inspection November 2019
- Topcliffe – Good – Inspection March 2020

- 6.6 In closure processes for LA maintained schools the future catchment area arrangements are subject to public consultation. However, in this case there has not yet been opportunity for consultation on this issue. Officers therefore propose to hold a consultation exercise with stakeholders in the areas of the four affected schools including Baldersby St James. Executive approval is therefore sought to undertake consultation on the proposals at paragraph 6.3.
- 6.7 The LA is the admission authority for Dishforth CE School, but Carlton Miniott and Topcliffe schools are their own admission authorities under Elevate MAT. The consultation would therefore be run in conjunction with Elevate MAT who have signaled their in principle agreement to the proposals for their schools.
- 6.8 Following the consultation the proposal for Dishforth CE School would be considered by a future Executive, either as part of the annual report on NYCC admission arrangements, or as a specific paper. The Elevate Trust Board would consider the proposals for Carlton Miniott and Topcliffe schools. NYCC and Elevate would then each separately apply for a specific variation to the published School Admission Arrangements for 2022/23 as set out in sections 3.6 and 3.7 of the School Admissions Code. The LA would apply to the Schools Adjudicator, and the Trust to the Secretary of State.
- 6.9 The whole of the area served by Baldersby St James School is in the catchment area for Thirsk School and Sixth Form College and this would remain the same following closure.

7.0 RURAL SCHOOL CONSIDERATIONS

Community impact

- 7.1 It is acknowledged that there is inevitable sadness when a school which has been part of the local community for many years is proposed for closure. In some communities the school is the only meeting space.
- 7.2 The Church of St James CoE in Baldersby St James is directly opposite the School and was built to serve the villages of Baldersby and Rainton and holds regular services. Children from the school regularly visit the church and have a display board located there. Harvest Festival and School Nativity events are held at the church. There would be an impact, if these visits were to decline. The church congregation use the school car park for Sunday services. Queen Mary's School also use the school car park at weekends if attending church. There are no additional community facilities identified in this hamlet.
- 7.3 A toddler group and coffee morning for villagers was previously held in the School's hall but has since declined from the onset of the pandemic.
- 7.4 Baldersby Village has The Mission Room which is open for anyone to use as a place of quiet reflection. It is the venue for the meetings of Baldersby & Baldersby St James Parish Council. Rainton Village has a village hall and Rainton with Newby Parish Council hold meetings there. The Village Hall can accommodate 50 people and has a meeting room. The Hall is used for a variety of groups and organisations including; fitness classes, indoor bowls, tennis club, gardening club, knit and natter and is used for village events. Some of the activities held at the hall seem to be re-emerging following lockdown. There is no early years unit at the School. The Montessori Nursery, formerly based in Rainton, re-located to new provision at Baldersby Park in the grounds of Queen Mary's School in 2019.
- 7.5 Given the small number of community users of the school premises and the alternative venues available locally, the potential impact of the loss of the school as a community venue should be minimal.
- 7.6 The school building and site is not owned by the County Council. Decisions about the disposal of the school site and buildings, together with considerations of future use, will be a

matter for the Trustees and owners.

- 7.7 As referenced in this report there is some limited new housing planned within the current school catchment area, however this is not likely to result in any significant increase in pupil numbers.
- 7.8 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 and that is the view of the Trust and DfE in this case.

Home to School Transport

- 7.9 The location profile of the School's current pupils, as set out in section 4, makes it especially difficult to predict the future impact on home to school transport requirements. With pupils attending from the home catchments of seven other schools, the dispersal pattern on closure cannot be predicted with any certainty. There appears to be local prevalence of parents/carers choosing a school which is not their nearest or catchment school and making their own transport arrangements. It is reasonable to expect this would continue to some degree. The LA are not currently operating any transport services to Baldersby School. In summary therefore, there is clear potential that costs borne by the home to school transport budget would rise following closure but how much is unknown.

Increased motor vehicle use

- 7.10 With several parents/ carers already making their own transport arrangements there is existing private motor vehicle use for home to school journeys. It is reasonable to expect that some of this will continue but to alternative schools. It is as yet unknown if the closure and revised catchment area arrangements would in future result in LA services via taxi, mini-bus or bus becoming necessary. The mitigation to minimise the length of necessary journeys is to ensure that catchment area arrangements apply to the nearest schools wherever possible as set out in section 6.
- 7.11 The conclusion is there is no reason to object to the proposed closure on the basis of rural school considerations.

8.0 FINANCIAL IMPLICATIONS

- 8.1 The only potential financial consideration for the LA is related to home to school transport. Following closure there could be a potential additional cost to the LA in providing transport to other schools, but as explained, this is difficult to estimate. Free home to school transport would be provided for entitled pupils in accordance with the revised catchment area arrangements from September 2022 and the County Council's Home to School transport policy.

9.0 LEGAL CONSIDERATIONS

- 9.1 The statutory guidance relevant to this proposal is:
- Making significant changes to an open academy and closure by mutual agreement November 2019 [Making significant changes to an open academy and closure by mutual agreement \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82422/making-significant-changes-to-an-open-academy-and-closure-by-mutual-agreement.pdf)
 - School Admissions Code September 2021 [School admissions code 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/92422/school-admissions-code-2021.pdf)

10.0 HUMAN RIGHTS IMPLICATIONS

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

11.0 OTHER IMPLICATIONS

11.1 The LA is not the decision maker of this proposal. However, given the rural school issues and the significance of the LA response during the listening period, it was considered appropriate to undertake an Equality Impact Assessment. This is attached as Appendix 6.

12.0 RECOMMENDATIONS

- 12.1 Executive Members are asked to recommend to the Chief Executive Officer that using his emergency delegated powers he:
- i. Confirm that the LA response during the listening period should be to notify the Trust and DfE that the Local Authority does not object to the closure of Baldersby St James CE Primary School.
 - ii. Agree to a stakeholder consultation (and subsequent process) in conjunction with Elevate MAT, on the catchment proposals to be effective from September 2022, such that:
 - The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village to become part of the catchment area for Carlton Miniott Primary Academy
 - The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village to become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

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Report prepared by Andrew Dixon, Strategic Planning Manager

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