

Report to the Cabinet

Meeting to be held on Thursday, 11 July 2019

Report of the Head of Service - Education, Quality and Performance

Part I

Electoral Division affected:
Wyre Rural East;

Proposed Closure of Bleasdale Church of England Primary School

(Appendices 'A' to 'D' refer)

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Executive Summary

On 11 April 2019, Cabinet agreed to a statutory notice being published to begin a representation period on the proposed closure of Bleasdale Church of England Primary School, Preston. A statutory proposal document was published in relation to the proposed closure of the school, which would take effect from 31 August 2019. The representation period took place from 24 April to 24 May 2019.

As part of the statutory process, a decision must now be taken about the proposal by Lancashire County Council, which is the decision maker. If the authority does not make a decision within two months of the representation period ending, the proposal and any representations about the proposal must be passed to the schools adjudicator for a decision.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to:

- (i) Consider the information in this report.
- (ii) Approve the proposal as detailed in the statutory notice to close Bleasdale Church of England Primary School with effect from 31 August 2019.
- (iii) Approve that an appropriate statutory decision letter be sent out, as specified under legal requirements, to give the reasons for the decision to those who are to be informed of them.

Background and Advice

At the request of the governing board, in partnership with the Diocese of Blackburn, Lancashire County Council started the statutory process in relation to the proposed closure of Bleasdale Church of England Primary School. The process began on 3 December 2018, when Cabinet approved a stage 1 consultation be undertaken on the proposed closure of the school, due to a fall in the numbers on roll at the school making the school educationally and financially unviable.

On 11 April 2019, Cabinet gave approval for a stage 2 statutory notice to be published and for a stage 3 representation period to be undertaken in relation to the proposal to close Bleasdale Church of England Primary School. The reasons for the proposal were the same as stage 1: a fall in the numbers on roll making the school educationally and financially unviable.

Bleasdale Church of England Primary School is a local authority maintained Church of England voluntary aided school, for children aged 4 to 11 years, located in Wyre Rural East electoral division and is deemed by Department for Education categorisation to be a rural school.

As at September 2018, the school had two pupils on roll, one in Year 4 and one in Year 6.

With regard to its financial position, the school had sufficient funding to continue to operate in 2018/19 but, with only two pupils, will go into an irrecoverable deficit from 1 September 2019.

Closing a Maintained Mainstream School: Guidance and Process

There is a defined statutory process in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 which must be followed before making a decision on the closure of a maintained school. This is supplemented by further guidance on the process published by the Department for Education.

A broad timetable, which is subject to change, for the overall process to be applied in respect of a proposal to close Bleasdale Church of England Primary School is set out below:

Action	Start
Cabinet approval to consult	3 December 2018
Stage 1 Consultation	7 January 2019 – 15 February 2019
Report back on consultation and Cabinet decision whether to publish Statutory Notice	11 April 2019
Stage 2 and 3 Publication of Statutory Notice and representation period	24 April to 24 May 2019
Stage 4 Decision - CURRENT STAGE	11 July 2019
Stage 5 Implementation	31 August 2019

The Department for Education's statutory guidance states that proposers, in this case the local authority, must consult groups and individuals they feel to be appropriate. In line with this, the local authority published a stage 2 statutory notice and an accompanying proposal document on 24 April 2019, the first day of the stage 3 representation period. These documents were available on the Lancashire County Council website and were widely circulated to interested parties, such as Wyre Borough Council, parish councils, Lancashire County Councillors for the district, the Regional Schools Commissioner and Ofsted. The school also made arrangements to share this information with parents, carers, staff and governors, to display the statutory notice and to include these documents on their website.

No responses were received during the representation period.

The statutory notice, accompanying proposal, factors for consideration and the Equality Impact Assessment can be found at Appendices 'A' to 'D' respectively.

Factors Relevant to all Types of Proposal

Local authorities are under a statutory duty to ensure that there are sufficient school places in their area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child's educational potential. To help local authorities to meet their duties and restructure local provision, they have the power to close all categories of local authority maintained schools. Reasons for closing a maintained mainstream school include where it is surplus to requirements (for example there are sufficient places in neighbouring schools to accommodate displaced pupils) or where it is failing and there is no viable sponsored academy solution.

The Department for Education's statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals, published in April 2016, sets out a number of factors which must be taken into consideration for all types of proposal. These factors, and supporting comments, are set out in Appendix 'C'.

Conclusions

The stage 1 consultation questionnaire asked respondents whether they agreed or disagreed with the proposal to close the school. Whilst there were only seven responses, 71% strongly agreed or tended to agree. Only one response disagreed with the proposal.

With specific regard to rural schools, the guidance states that 'there is a presumption against the closure of rural school. This does not mean that a rural school will never close, but the case for closure should be strong and the proposal clearly in the best interests of educational provision in the area'.

If the decision is taken to close the school, the local authority will work with the school to ensure that there is a smooth transition for the pupil moving schools.

This report demonstrates that, on the basis of the Department for Education criteria, the decision maker is recommended to approve the proposal to close Bleasdale Church of England Primary School, with effect from 31 August 2019.

Implications:

This item has the following implications, as indicated:

Risk management

The authority has a statutory duty to secure high quality school places for its residents. Alternative school places can be secured for current pupils affected by the proposed closure.

There are implications for staff employed in the school but the authority has experience in staff redeployment and retraining and a good record in avoiding compulsory redundancies. The Human Resources Service at Lancashire County Council is already supporting the school with staffing reduction procedures necessitated by the fall in pupil numbers.

Financial Implications

The current small budget surplus should see the school to September 2019 without falling into a significant budget deficit. However, with only two children on roll, the budget position from April 2019 will be poor and unsustainable going forward.

When a school is closed by an authority, any balance (whether surplus or deficit) reverts to the authority. The authority cannot transfer a closing balance to an individual school, even when that school is a successor to the closing school, except that a surplus or deficit transfers to an academy where a school converts to academy status under section 4(1)(a) of the Academies Act 2010.

Current Education and Skills Funding Agency guidance states that any deficit balance on a closing school is the responsibility of the authority. The Lancashire Schools Forum has an established reserve for some strategic school deficits. The authority will continue to receive Dedicated Schools Grant funding for the pupils when they relocate to new schools within the county.

Equality and Cohesion

A full Equality Analysis has been completed and is set out at Appendix 'D'.

List of Background Papers

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate		
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