

## CABINET - 19 NOVEMBER 2019

### REPORT ON THE PROPOSED CLOSURE OF CULHAM PAROCHIAL CHURCH OF ENGLAND PRIMARY SCHOOL

Report by Director for Children's Services

#### RECOMMENDATION

The Cabinet is **RECOMMENDED** to approve the proposed closure of Culham Parochial Church of England Primary School.

#### Executive Summary

1. Under Section 15 of the Education and Inspections Act 2006, a local authority can propose the closure of all categories of maintained school. It is proposed to merge Culham Parochial Church of England Primary School and Clifton Hampden Church of England Primary School, leading to the formal closure of Culham Parochial Church of England Primary School.
2. The decision must be made in accordance with the *Education and Inspections Act 2006* (as amended), *The School Organisation (Establishment and Discontinuance) (England) Regulations 2013* and decision makers must have regard to the statutory guidance, "*Opening and closing maintained schools*", November 2018 ("the Guidance"). Further details of the relevant legislation and Guidance are set out below.
3. The Guidance states that there is a presumption against closing rural schools, meaning that the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area. The county council confirms that it has considered all relevant points in relation to proposing the closure of rural primary schools, as set out in the Guidance. These are discussed in detail in Paragraphs 27 to 33 below.
4. Following a pre-publication consultation which ran from June to July 2019, a statutory notice was published, and the required representation period ended on Monday 14 October 2019. The county council is the decision-maker for school closure proposals, and must make a decision within a period of two months of the end of the representation period, or otherwise the decision is referred to the Schools Adjudicator. The Cabinet is now required to make a decision on the proposals.
5. Closure of Culham Parochial Church of England Primary School is proposed due to persistently low pupil numbers, and the consequent impact on the financial viability of the school and the curriculum offer it can provide.

## Pre-publication consultation

6. There is a statutory 'pre-publication' consultation period for discontinuance of maintained schools. The Guidance recommends this period should last a minimum of 6 weeks. In accordance with this recommendation, the county council ran a 6-week pre-consultation from Monday 10 June 2019 to Monday 22 July 2019.
7. 23 responses were received as part of the pre-publication consultation. The county council, school leadership team and governing body considered the issues raised in that consultation in developing the proposal. The issues raised during the pre-publication consultation, and the county council's response to these, are summarised in the Culham Consultation Report (included in the background papers).
8. Culham Parochial Church of England Primary School is now the smallest primary school in Oxfordshire, with pupil numbers falling to around 30 primary pupils on roll by the end of the 2018/19 school year. When inspected by Ofsted in February 2017 and May 2019 it was judged as 'Requires Improvement' on both occasions. Pupil attainment data over the last three years show that pupils have lower scores in reading, writing and maths than the county or England average, and in general made below average progress.
9. Following the informal pre-publication consultation, a formal proposal was developed to merge Culham Parochial Church of England Primary School and Clifton Hampden Church of England Primary School, leading to the formal closure of Culham Parochial Church of England Primary School. The Guidance states that reasons for closing a school can include the following:
  - *It is to be 'amalgamated' with another school.*
    - It is proposed to amalgamate Culham Parochial with Clifton Hampden Primary School
  - *There are surplus places elsewhere in the local area which can accommodate displaced pupils.*
    - Clifton Hampden CE Primary School, with which Culham Parochial is federated, can accommodate all pupils who would be displaced in Culham Parochial closes.
    - In the wider area there are surplus primary school places (see section 8, below). There is currently no evidence that the local pupil population will grow, at least in the short to medium term. Because the birth rate has fallen in recent years, there would continue to be sufficient school places in this area should Culham Parochial be closed.
  - *It is no longer considered viable.*
    - The school's pupil numbers are too low to generate sufficient funding to cover the costs of staffing and maintaining the building. The school has a significant budget deficit.

10. Culham Parochial Church of England Primary School is also designated a rural school under the Designation of Rural Primary Schools (England) Order. There is a presumption against the closure of rural schools which is addressed in more detail below.
11. The existing land and buildings at Culham Parochial Church of England Primary School are not owned by the county council and future use will become a matter for the relevant church trustees.
12. The leadership team and governing body of the Thames Bridge Church of England Federation (which consists of Culham Parochial Church of England Primary School and Clifton Hampden Church of England Primary School) support the proposed school closure.

### **Publication of the proposal**

13. The statutory notice (Annex 1) was published in the Oxford Mail on 16 September 2019 and was also posted on the county council website. It was sent to the Secretary of State on the same day, and relevant consultees were notified within 7 days as required under the relevant legislation and Guidance. The Representation period ran until the 14 October 2019, which is the statutory 4-week period required under the relevant legislation and Guidance. The statutory notice was accompanied by a Full Proposal document (Annex 2), which was available to read online at the Oxfordshire County Council public website, or by request.

### **Representations**

14. Four responses were received during the 4-week statutory Representation period. Of these responses, one was in support of the proposal and three objected.
15. Two of the three objections raised concerns regarding traffic and parking.
  - If Culham Parochial Church of England Primary School is closed, pupils currently on roll who transfer to Clifton Hampden Church of England Primary School will be provided with free home to school transport until they leave the school. Longer term, free transport will be provided for children under 8 who have to travel more than 2 miles and children of 8 and over who have to travel more than 3 miles to the nearest school. with places, or if there is no safe walking route.
  - The Executive Headteacher of Culham and Clifton Hampden Schools is developing a School Travel Plan, in order to ensure the safety of travel arrangements to and around Clifton Hampden Church of England Primary School. Parking for Clifton Hampden Church of England Primary School is available at the village hall (located opposite the school) and at the social club (a short walk away from the school). There is a pedestrian crossing near the school to help pupils cross the road safely if walking from the social club or elsewhere in the village. Parents have been informed of

these parking options and have been reminded to park considerately in Clifton Hampden at school drop off and pick up times.

16. One of the respondents who objected also thought that demand for places at the school would increase in the future, particularly as there has been housing growth in the area.
  - Due to declining birth rates, pupil forecasts do not suggest a significant increase in demand for places at Culham Parochial Church of England Primary School in the future.
  - Housing growth in the area so far has been in the designated area of Sutton Courtenay CE Primary School, which has recently been expanded.

## Legal background

17. Closure of schools is covered by *The School Organisation (Establishment and Discontinuance) (England) Regulations 2013* which should be read in conjunction with Part 2 and Schedule 2 of the *Education and Inspections Act (EIA) 2006* (as amended by the *Education Act (EA) 2011*).
18. As already referred to above and throughout this report, the closure of a maintained school is subject to the statutory guidance "*Opening and closing maintained schools*" (November 2018). Proposers and decision-makers must have regard to this guidance when making proposals or decisions. Where the Guidance has not been followed, there must be good reasons for doing so.
19. The Guidance states that the statutory proposal must contain the following information:
  - The contact details of the local authority and the school.
  - The implementation date of the proposed closure.
  - The reason why closure of the school is considered necessary.
  - Current pupil numbers at the school.
  - A statement about the need for school places in the area, including whether there is sufficient capacity to accommodate displaced pupils. This should include details of schools where displaced pupils will be offered places, including interim arrangements.
  - A statement about the impact on the community.
  - For rural primary schools, a statement demonstrating that section 15(4) of the Education and Inspections Act 2006 has been considered.
  - A statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.
  - Details of length and journeys to alternative provision, and the proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.
20. The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- (a) how copies of the proposal may be obtained;
- (b) that anybody can object to, or comment on, the proposal;
- (c) the date that the representation period ends;
- (d) and the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. On the day of publication of a proposal to close a school the proposer must send a copy of the proposal to the governing body. Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to the local dioceses and the Secretary of State, as well as any other body or person that the proposer thinks are appropriate. For closure of a rural primary school, other prescribed consultees are the registered parents of registered pupils at the school and the local district or parish council.

- 21. The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.
- 22. The county council confirms that it has adhered to the relevant legislation and above Guidance.

### **Decision-making**

- 23. The decision-making power in terms of determining the proposal in this case lies with the Cabinet. In considering the proposals for a school expansion, the Cabinet can decide to:
  - reject the proposals;
  - approve the proposals without modifications;
  - approve the proposals with such modifications as the local authority thinks desirable, having consulted the governing body;
  - approve the proposal – with or without modification – subject to certain conditions (such as the granting of planning permission) being met.
- 24. Where a LA is the decision maker, it must make a decision within a period of two months of the end of the representation period. Where a decision is not made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.
- 25. The Guidance states that “decision-makers will need to be satisfied that any consultation carried out was appropriate, fair and open, and that the proposer has given full consideration to all the responses received. The decision-maker must consider the views of those affected by a proposal or who have an interest in it, including cross-LA border interests. The decision-maker should not simply take account of the numbers of people expressing a particular view.

Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s)”.

26. As discussed above in Paragraph 3, there is a presumption against the closure of rural schools. For closures of rural primary schools, proposals must include a statement that section 15(4) of the Education and Inspections Act 2006 has been considered (this has been covered under Paragraph 8 of the Statutory Proposal). The Guidance sets out a number of factors which must be considered by the proposer when proposing to close rural schools. These factors are set out below, together with an explanation of how these have been considered:

27. **The likely effect of closure on the local community:**

- There is the potential for the loss of an important community facility in the village. However, the school site and building is owned by a charitable trust, and so the decision on whether to keep the building open to the community would be made separately to this consultation process.
- There is a risk that the loss the primary school would deter families from moving to the village, although there is another school in Culham, The Europa School, which attracts some families because of the bilingual education it provides. Children living in Culham would also be able to attend Clifton Hampden CE Primary School, a popular school rated “Good” by Ofsted.
- There is the potential risk of increased traffic and parking issues in Clifton Hampden. Travel is discussed in detail in Paragraphs 36 and 37. As discussed above in Paragraph 15, a Travel Plan for Clifton Hampden CE Primary School will consider the increased pupil numbers, and parents have been reminded of appropriate parking options in the village.

28. **The proportion of pupils attending the school from within the local community:**

- Data for pupils on roll at Culham Parochial CE Primary School for the 2018/19 school year show that under half of the pupils on roll at this time lived within the school’s designated (“catchment”) area. Most pupils were travelling from Abingdon, Sutton Courtenay and Berinsfield, where school places are available.
- School census data for the school year 2018/19 show that over half of state primary school pupils living in Culham attended schools other than Culham Parochial CE Primary School, with a significant number attending the Europa School, also in Culham.
- Clifton Hampden Church of England Primary School’s intake will increase from 10 pupils per year to 15 pupils per year to accommodate the displaced pupils. No additional accommodation will be provided at Clifton Hampden CE Primary School, as their existing accommodation is already sufficient for up to 105 pupils. If the closure of Culham Parochial Church of England Primary School is approved, the pupils currently enrolled at the school would continue to be taught at Clifton Hampden Church of England

Primary School on a permanent basis, unless their families choose to transfer them to an alternative school.

**29. Educational standards at the school and the likely effect on standards at neighbouring schools:**

- Culham Parochial CE Primary School has an Ofsted rating of 'Requires Improvement', and pupil attainment scores show below average progress at the school. Because of the school's small size, it is more difficult for the school to provide a broad and balanced curriculum, and to balance its budget.
- The proposed merger would improve educational opportunities and outcomes for children living in this area. The Thames Bridge Church of England Federation would be able to concentrate resources in one school rather than spread them across two separate schools.

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

- In the event of closure, transport would be provided by the county council to Clifton Hampden School for displaced pupils. The details of this provision are discussed further in Paragraphs 36 and 37.

**31. 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):**

- Clifton Hampden CE Primary School was judged as 'Good' at its last Ofsted inspection in February 2016. Pupil attainment data over the last three years show that pupils have higher scores in reading, writing and maths than the county or England average. The school has sufficient space to accommodate displaced pupils from Culham Parochial CE Primary School.
- As of May 2019, there were 24% spare primary school places overall in the Abingdon East planning area (which comprises Culham Parochial CE Primary School, Clifton Hampden CE Primary School, Abbey Woods Academy, Dorchester St Birinus CE School and Europa School). The proposed merger of the two schools would reduce this to 22% spare capacity, still a significant surplus of places. (Advice from the Audit Commission is that 5-10% spare capacity is reasonable.) School places are also available in Sutton Courtenay and the Abingdon town area.
- Pupil forecasts do not indicate a significant increase in demand for places in the area in the future, due to declining birth rates. There is no timescale for significant local housing growth in the area.
- The merger of these two schools would therefore be in line with wider school organisation and capacity planning.

**32. Any increase in the use of motor vehicles which is likely to result of the closure of the school, and the likely effects of any such increase:**

- As the majority of pupils on roll at Culham Parochial CE Primary School during 2018/19 were living outside the designated area, they were already transported by motor vehicles, and therefore closure of the school is unlikely to significantly increase the use of motor vehicles to transport children to school. Free home to school transport will continue to be provided for displaced children attending Clifton Hampden CE Primary School if the decision is made to close Culham Parochial CE Primary School.

**33. Any alternatives to the closure of the school:**

- Following a previous consultation (2011) into closing the school, it instead federated with Clifton Hampden CE Primary School as part of the Thames Bridge Church of England Federation. This has not resulted in significant improvements to the educational standards at the school or its financial viability.
- As pupil numbers in the area are not expected to grow significantly, conversion to academy status is unlikely to increase demand for places at the school. Conversion to academy status and joining a multi-academy trust is not considered a realistic option, as sponsors would be reluctant to take on a school with sustained budget difficulties.
- There is not expected to be sufficient local demand for use of the school site to provide services such as childcare to increase its viability. Culham Parochial CE Primary School hosted a pre-school for many years and subsequently offered their own nursery places for two years but these did not prove permanently viable.

**34. In order to assist the decision-maker, the proposer of a rural school closure should provide evidence to show that it has carefully considered:**

- alternatives to closure including: federation with another local school; conversion to academy status and joining a multi-academy trust; the scope for an extended school to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;
- transport implications i.e. the availability, and likely cost of transport to other schools and sustainability issues;
- The size of the school and whether it puts the children at an educational disadvantage e.g. in terms of breadth of curriculum or resources available;
- the overall and long term impact on local people and the community of the closure of the village school and of the loss of the building as a community facility; and
- wider school organisation and capacity of good schools in the area to accommodate displaced pupils.



35. The county council confirms that these factors have been considered as part of the full statutory proposal (Annex 2), and are also discussed above under Paragraphs 27 to 33.

### **Financial and Staff Implications**

36. For the 2019/2020 school year, pupils on roll at Culham Parochial CE Primary School will be educated at Clifton Hampden CE Primary School, and a bus will be provided by OCC to transport these children between the two schools at the beginning and end of the school day. The estimated cost to the county council of providing this transport over the time period September 2019 – July 2020 is £45,410. If the school is closed transport for children originally on the roll of the school will be eligible for home to school transport and it is hoped to assimilate this cost into existing routes.
37. Beyond this, if Culham Parochial CE Primary School were to close, and parents chose to transfer their children permanently to Clifton Hampden CE Primary School, the county council will provide free transport to Clifton Hampden for pupils currently enrolled at Culham Parochial CE Primary School, until they leave Clifton Hampden CE Primary School. The cost to the county council of providing this transport will apply over a maximum time period September 2020 – July 2025 (when the youngest pupils currently enrolled at Culham Parochial CE Primary School will transfer to secondary school) and would be expected to decline as the affected pupils transfer to secondary school.
38. When a school closes, a deficit balance reverts to be met from local authority resources while a surplus balance may be allocated to a successor to the closing school. The 3-year budget for Culham Parochial CE Primary School indicates that the school would have a deficit of about £55,000 by the end of the budget year 2019/20, and this deficit would increase in subsequent years. Changes made by the Federation since that budget calculation will have affected the scale of deficit, but it is still expected that the school's deficit would be significant, and continue to grow, if it stays open. If a decision is made to close the school, therefore, the council will be responsible for the school's deficit at the time of closure.
39. The staff of Culham Parochial CE Primary School will be transferred to Clifton Hampden CE Primary School, and there are no immediate plans for the combined school's staffing changes. However, if the proposal is agreed, and the merger of the two schools is implemented, the staffing structure at Clifton Hampden Church of England Primary School will be reviewed in future.
40. If the school closes, responsibility for the maintenance of the school would revert to the owners, Diocesan Trustees Oxford Ltd.

## Equalities Implications

41. **Religion/belief:** As Both Culham Parochial CE Primary School and Clifton Hampden CE Primary School provide Church of England faith-based education, the proposed merger is not expected to have a significant impact on the provision of faith-based education in the local area. Other nearby schools in Abingdon and Berinsfield offer a variety of faith and secular education, so parental choice in the area will not be affected.
42. **Rural communities:** As a rural school, the closure of Culham Parochial CE Primary School would have an impact on families living in Culham village, who would no longer have access to a school within walking distance of their home (the Europa School in Culham offers specialist bilingual education). Therefore, children living in Culham will face a longer journey to an alternative school (either Clifton Hampden or another school). However, data for pupils on roll at Culham Parochial CE Primary School for 2018/19 showed that over half of the pupils on roll at this time lived outside of the village and were travelling from areas where school places are available. Therefore, while there will be an impact for families living in Culham village itself, this does not represent a large proportion of the children on roll at the school at this time.
43. A Service and Community Impact Assessment (SCIA) has been completed for this proposal. This is attached at Annex 3.

LUCY BUTLER

Director for Children's Services

Annexes:                   Annex 1: Public Notice  
                                  Annex 2: Full Statutory Proposal Document  
                                  Annex 3: Service and Community Impact Assessment (SCIA)

Background papers: Culham Consultation Report.

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