

Divisions Affected: Chipping Norton

DELEGATED DECISIONS BY CABINET MEMBER FOR CHILDREN AND YOUNG PERSONS

17th March 2026

THE PROPOSED CLOSURE OF THE ACE CENTRE MAINTAINED NURSERY SCHOOL

Report by Director of Childrens Services

RECOMMENDATION

1. **The Cabinet Member is RECOMMENDED to:**
 - a. **Approve the proposed closure of The Ace Centre Maintained Nursery School.**

Executive Summary

2. 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 close the Ace Centre Maintained Nursery School.
3. 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* October 2024 (the Guidance). Further details of the relevant legislation are set out in the report.
4. The Guidance states that there is a presumption against closing maintained nursery schools, meaning that the case for closure should be strong and a proposal must be clearly in the interests of educational provision in the area. The county council confirms that it has considered all relevant points in relation to the proposal.
5. Following a pre-publication consultation, a statutory notice was published and the required representation period ended on Monday 9th February 2026.

6. The county council is the decision maker for closure proposals and must decide within a period of two months following the end of the representation period, or otherwise the decision is referred to the Schools' Adjudicator.
7. The Cabinet Member is now required to decide on the proposal.

Background

8. The Ace Centre Nursery School is located on the Burford Road in the centre of Chipping Norton and is one of 7 maintained nursery schools across Oxfordshire.
It is a freestanding 39 full-time equivalent place nursery providing school hours term time only provision for 3–5-year-olds and admits 2 years-olds under s27 Governor powers.

Reasons for closure

9. There have been significant changes in leadership over the past four years with a new Headteacher and Governing body. The Headteacher resigned during the Autumn term of 2025 and left on 31st December 2025.
10. Currently the school is judged to be outstanding. In October 2023, the school had a Section 8 inspection and although the grade of outstanding remained the same, evidence suggested 'that the overall grade may not be as high as this if it had been a Section 5 inspection'. This resulted in the school becoming a focused Strategy school. Quality improvement support and challenge were provided by the council to ensure the school made rapid improvements.
11. Numbers on roll indicate that demand has been decreasing over the last three academic years, partly because of demographic changes and due to extended childcare entitlements for working parents with children 9 months to 4 years. Consequently, the council has observed wider changes in the childcare market, with take-up patterns and parental choice shifting according to parental needs and market response.
12. Low pupil numbers in any school term mean that the funding the Nursery School receives is correspondingly reduced. This in turn means that it is difficult for the school to maintain the building and cover running costs, both elements of which are relatively high in older buildings.
13. A maintained nursery school must have a headteacher, and nursery sessions must be run by at least one qualified teacher. Funding of places is determined in compliance with the Government's School and Early Years Finance (England) Regulations 2025.
14. This proposal follows significant challenges faced by the nursery including a sustained and substantial reduction in pupil numbers, which has affected its financial and educational viability. The Council is committed to ensuring that alternative early years' provision remains available locally to minimise any impact on families and the wider community.

Pupil Numbers and Admissions

15. There are more nursery places than needed in the Chipping Norton area (surplus 41 places for 2-year-olds and surplus 116 places for 3-year-olds). The birth rate is gradually trending downwards, and the number of young children is expected to decrease in the short to medium term. Demand is predicted to fall as set out below:

Funded places forecast demand in local area (part time equivalent places)

	2025	2028
2-year-olds	101	92
3-year-olds	110	96

At the time of the pre-publication consultation in November 2025 there were only 23 children on roll. All but 5 children left the Nursery by the end of December 2025.

16. The Governing body has decided that remaining open for such a small number would not be viable and not offer the best provision for these children. The Nursery School has consequently temporarily closed to children from January 2026. Families have been successful in accessing alternative places and support has been offered for those remaining on roll, with the expectation that places will be offered with no break in provision.

Proposed closure date

17. It is proposed to formally close The ACE Centre Nursery School at the end of the 2025/2026 school year on 31st August 2026.

Decision-Making Process (pre-publication)

18. The county council ran a pre-publication consultation with respect to the proposed closure. 25 responses were received; 24 were against the closure.
19. During the consultation, parents of existing children were offered the opportunity to either respond online to the proposal and/or attend a consultation event. Three in-person consultation times were offered along with one online session.
- One person attended a face-to-face discussion opportunity
 - There were no attendees at the online opportunity
20. The county council, school leadership team and governing body considered the issues raised in the consultation in developing the statutory proposal. The issues raised and the council's response to these are summarised in the attached Consultation Report (Annex 1).

Decision-making process (formal proposal)

21. Following the pre-publication consultation, a formal proposal was developed to close Ace Centre Nursery School. The Guidance states that the reasons for closing a maintained nursery school can include the following:
- *It is to be amalgamated with another school* (this is not applicable)
 - *There are surplus places elsewhere in the local area which can accommodate displaced pupils* (this is applicable)
 - *It is no longer considered viable* (this is applicable)
22. The Council confirms that it followed all requirements for the decision-making process. The statutory notice (Annex 2) was published on the county council website on 12th January 2026. 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 notice was published in a local newspaper. The Representation ran until the 9th February which is the statutory 4-week period required. The statutory notice was accompanied by a Full Proposal document (Annex 3) which was available to read online on the county council public website or by request.
23. As required, the full proposal included a statement setting out:
- How copies of the proposal may be obtained
 - That anyone can object to, or comment on, the proposal
 - The date that the representation period ends
 - The address to which objections or comments should be addressed.

Representations

24. Four responses were received to the statutory consultation. All respondents indicated a strong objection to the closure of the nursery provision at Ace Centre citing the impact on families and the community, concerns about a shortage of childcare and the communication and process followed.
25. The statutory proposal directly addressed the childcare shortage objection by providing data on surplus places and asserting that alternative provision was available and sufficient. Opportunities for communication had been provided and the required consultations followed.

Presumption against closure of maintained nursery school

26. There is a presumption against closure of maintained nursery schools. The Guidance sets out several factors which must be considered when proposing to close such schools. These factors are set out below, together with an explanation of how these have been considered:
- Plans to develop alternative early years provision clearly demonstrating that it will be a least equal in quantity to the provision provided by the nursery school with no loss of expertise and specialism; and

- How replacement provision is more accessible and more convenient for local parents
27. The alternative early years provision includes school-based nursery settings offer both term-time places and wraparound care. Additionally, parents have the option of full-time care from several settings. This provides a wide range of choice in settings as best meetings their needs with good standards as evidenced by Ofsted.
28. Vacancy data indicates immediate availability of places in Chipping Norton. Several providers have potential to expand, subject to demand, and this will create more viable provision for any future demographic growth.

Corporate Policies and Priorities

29. This proposal supports the County Council's Corporate objective to ensure that children get the best start in life (objective 7). Viable, sustainable and flexible childcare enables families to take up childcare that best works for them and provides the best platform for children achieving good levels of development.

Financial Implications

30. Ace Centre Nursery School has been operating in a deficit position for some time. The revised 3-year budget indicates that the school will have a deficit of balance of approximately £222K by the end of this financial year. If the closure decision is taken, it is likely that this deficit balance will increase up to the date of closure. The County Council will be responsible for the school's deficit at the time of closure.
31. Responsibility for the area of the nursery building currently occupied by Ace Centre nursery will revert to the council.

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Legal Implications

32. 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 2006 (as amend by the Education Act (EA) 2011).

The content of these regulations is summarised in the DFE's Statutory guidance 'Opening and Closing Maintained Schools' (October 2024).

Officers need to have followed the steps set out in this guidance, which include:

- Having a period of consultation
- Publishing details of the proposal on a website and local newspaper and advising various statutory consultees (including the Secretary of State)

- Having a representation period of at least 4 weeks and considering all representations made over that period and
- Notifying all relevant parties once a decision has been made

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Staff Implications

33. At the time of drafting the report, some staff remain in employment at the nursery. Should the decision for closure be taken, there will be a consultation involving appropriate parties (including unions representatives) for those individuals. The county council will be responsible for redundancy and pension payments.

Equality & Inclusion Implications

34. Decision makers should be satisfied that proposed changes will not adversely impact any particular group, including those with protected characteristics or who are disadvantaged

Sustainability Implications

35. There are no climate action sustainability implications.

Risk Management

36. Careful analysis of the risks surrounding the proposal have been undertaken throughout its development.
37. As outlined above, considerable time has been given to reviewing and analysing quality childcare places available in the Chipping Norton area to ensure that families have a good range of flexible options. This work was required to ensure that the operational risk around closing the nursery would not result in a family being in a position of not having childcare provision. During the period of temporary closure of the setting, all families have been supported and found appropriate placements.
38. We have shared information when available at appropriate points with staff and parents, and gathered feedback through meetings, drop-ins, and consultations with the intention of keeping all parties updated and included.
39. There are financial impacts of taking a closure decision around redundancy costs (and pension payments) for remaining staff, however, this must be balanced with the ongoing deficit risk of the Nursery, which, despite much effort to reduce, has not improved.

Consultations

