



Public Agenda Item: **Yes**

Title: **Proposal to Close Chestnut Primary School**

Wards Affected: **St Mary's with Summercombe Ward and all Brixham Wards**

To: **The Mayor/Council** On: **13 July 2011**

Key Decision: **Yes – Ref. X14/2011**

Change to Budget: **No** Change to Policy Framework: **No**

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1. What we are trying to achieve and the impact on our customers

- 1.1 The Local Authority (LA) has a statutory duty to keep under review the adequacy of provision of school places and the specific duty to reduce unfilled surplus capacity in schools. The LA is seeking approval to close Chestnut Primary to reduce the number of surplus places within the Brixham area.
- 1.2 It is recognised that surplus capacity can have a detrimental effect on schools as it poses organisational and budget difficulties for schools. This can affect school effectiveness.
- 1.3 By closing Chestnut Primary and removing a number of surplus places the LA will be minimising the detrimental effects that may be posed for all schools across Brixham when faced with numbers of surplus places in the primary schools.

2. Recommendation(s) for decision

- 2.1. **That the Mayor be recommended on behalf of the Council to cease to maintain Chestnut Primary school from 31 August 2011.**
- 2.2. **That the Mayor be recommended to authorise the Executive Head for Children, Schools and Families to proceed with closing Chestnut Primary School with effect from 31 August 2011.**

3. Key points and reasons for recommendations

- 3.1 The recommendations will allow the Council to fulfil its duty with regard to school place planning and ensure that funds are used for the direct educational benefit of pupils as far as possible.
- 3.2 Numbers on roll at Chestnut Primary are low and declining. Applications for places in the new school year were low. The pupil roll is 42 pupils for June 2011, with a budget only able to support a very constrained 3 class structure with all children in mixed age classes. The Key Stage 2 (KS2) class would have to support children aged 8-11 with a high percentage of pupils with special educational needs. There was low attainment at the end of KS2 in 2010 with a low percentage of pupils attaining Level 4+ in both English and Mathematics. Levels of attainment at the end of KS1 were well below the National average. As a small school, Chestnut will face challenges in ensuring that its pupils receive a broad and balanced curriculum. With the impending retirement of the headteacher the school may struggle to provide a capacity to improve.
- 3.3 Through reducing the number of empty places in the area there is more chance that the remaining schools will be able to fill to capacity, this will help them plan the number of teachers they need with more certainty. This will create a more secure environment for future planning.
- 3.4 The public notice outlining the Council's intent was published on 29 April 2011 and the closing date for comments was 13 June. The Council did not receive any representations on the proposal.

For more detailed information on this proposal please refer to the supporting information attached.

Matt Redwood, Head of Schools Commissioning

Supporting information

A.1 Introduction and history

A1.1 Over the past few years the demand for primary school places in Brixham has been falling. There are now over 270 empty places spread across the 6 primary school in the area which represents over 19% of primary school places.

A1.2 The LA did carry out a review of places in Brixham in 2005 when there were 172 surplus places in the area. This review led to Brixham Church of England School changing from an infants to all through primary school and the creation of Eden Park Primary School to replace the previous infant and junior schools – the full effect of these changes has now been realised and whilst 72 primary places have been removed the pupil numbers have fallen further so further action is needed.

A1.3 Pupil projections also support this need for action. The table below shows the LA forecasts for pupil growth in the area and is based on trends in the birth rate and an assumption that previous levels of housing growth will continue. Whilst a forecast rising birth rate will reduce the overall number of surplus places in Brixham schools if Chestnut remains open there will be a too large surplus capacity.

Table 1

Year	Primary Pupils	Primary School Places	Empty Places	Percent Empty
2010-11 Actual	1151	1428	277	19%
2011-12 Forecast	1164	1428	264	18%
2012-13 Forecast	1205	1428	223	16%
2013-14 Forecast	1224	1428	204	14%
2014-15 Forecast	1237	1428	191	13%

A1.4 The LA has a statutory duty to manage the provision of school places and whilst it is good practise to maintain a reasonable number of surplus places to allow for parental preference, transient pupils and to offer some margin for variations between the actual and forecasted numbers, the LA believes it should operate with between 5% and 10% surplus places as recommended by the Audit Commission.

A1.5 In light of this information the Council began in 2008 exploring options for making changes to school organisation in Brixham to create a better match between supply and demand in the area. At the same time some of the difficulties associated with falling rolls were beginning to manifest themselves. These included: financial uncertainty for some schools, internal schools re-organisations, staff redundancies and a very uneven pattern of pupil enrolment.

A1.6 There have been lengthy dialogues between Council officers, the heads and governing bodies of the Brixham schools and the local Diocese offices on potential solutions. The clear call has been for the Council to take some action to adjust the supply of places and manage the situation.

A1.7 By maintaining a closer match between supply and demand schools have greater certainty for financial planning, staff recruitment and retention because they can admit nearer to their planned admission number.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

A2.1.1 The key risks of the recommendation are:

A2.1.2 The impact on schools of empty places can be detrimental and lead to:

- reduced funding as budgets are based on pupil numbers;
- empty classes which still need to be cleaned, repaired and heated
- low staff morale;
- loss of confidence in schools with low numbers;
- and, financial uncertainty so schools can only offer short term employment contracts which can lead to poor staff retention or even failure to recruit.

By taking the decisive action of removing places the LA aims to manage this situation and minimise the effect on children's education.

A2.1.3 One significant impact of the closure is the displacement of the pupils currently on roll at Chestnut Primary and it is widely recognised that pupil transitions can affect progress. This risk will be mitigated through careful planning and all of the Brixham primary schools have agreed to work together with the LA to organise an effective and smooth transition. The 42 pupils at Chestnut school have all been allocated their first or second preference school for transfer in September 2011. The schools are working together to plan transfer arrangements. The Council is working with schools on transition arrangements for pupils with Special Educational Needs.

A2.1.4 There is an inherent risk with service proposals based on population forecasts. Recent data on 2008-9 birth rates shows an increase in the number of births in the area. Whilst it is too early to say whether this is a 'blip' or a sign that the birth rate for Brixham is recovering, the LA will maintain its watching brief and review provision on a regular basis.

A2.1.5 Chestnut Primary currently provides a Children's Centre facility and nursery which serves the higher Brixham area. There will be no change to this provision. The LA will also continue to maintain the buildings and the grounds to ensure that it does not fall into disrepair and have a detrimental effect on the local area. Once the school is closed the LA will investigate the possible uses for the Chestnut site. This will take place in the autumn term 2011.

A2.2 Remaining risks

A2.2.1 The LA will continue to proactively review primary provision with the area in the light of the most recent available live birth data.

A3. Other Options

- A3.1 In preparing this recommendation the LA considered and consulted on 3 options and invited respondents to suggest other options. These options were to maintain status quo, to close Chestnut and make no other changes, to close Chestnut and relocate St Margaret Clitherow to the Chestnut site or to consider any proposals arising from the consultation. The latter option brought forward 2 very similar proposals for consideration which focused on maintaining but reducing the size of Chestnut.
- A3.2 After consultation it was agreed by the Cabinet in March 2011 that the LA would go ahead with publishing proposals to close Chestnut Primary.

A4. Summary of resource implications

- A4.1 Whatever course of action is taken there will be a resource implication. If no changes were made to school organisation then Chestnut would face contraction and the Council would face the strong possibility of the cost of staff redundancies. The Council would also have to make special arrangements to support Chestnut as a vulnerable school.
- A4.2 By closing Chestnut the Council will require resources to support staff redundancies and pupil transitions. These costs will be met from within the remaining portion of Chestnut Primary schools allocation from the Dedicated School Grant 2011/12.
- A4.3 On balance the costs of a managed closure are easier to predict and manage compared to the rather more unpredictable costs of ongoing support for a vulnerable school. Children's Services has finite resources to support schools and concentrating a significant proportion of resource on one school will reduce the capacity of the Council to support other schools.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

- A5.1 The recommended action reduces the number of community schools places but retains a good mix of diversity of provision between community, Catholic and Church of England primary schools in the area.
- A5.2 The recommendation will not have any significant effect on access for disabled pupils since the alternative schools have broadly comparable levels of physical access to that at Chestnut Primary school.

A6. Consultation and Customer Focus

- A6.1 The options for changes were explored extensively with headteachers and chairs of governors in Brixham in order to form proposals that were brought forward to a public consultation. A report on the public consultation is included as Appendix 1.
- A6.2 The statutory notice of the Council's intent to close the school was then published on 29 April. A copy of the full proposal was sent to the school, the neighbouring local authorities, the Diocese and the Department of Education.

As part of the statutory process all parties were given 6 weeks to forward representations either in support or against the proposal. The Council did not receive any representations by the closing date of 13 June. A copy of the statutory notice is attached in Appendix 2.

A7. Are there any implications for other Business Units?

A7.1 The closure of the school will require the support of the Council's Human Resources Team. The 'mothballing' of the building for the immediate future will have implications for building and grounds maintenance.

Appendices

Appendix 1	Report on Consultation Responses
Appendix 2	Statutory Notice to Close Chestnut Primary School

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

None

Report on Consultation

The form of consultation

The consultation was held jointly by the Council and the Catholic Diocese of Plymouth.

The consultation ran from 29 November 2010 to 7 January 2011.

The method of consultation was a consultation document and open meetings held at St Margaret Clitherow School on 7 December 2010 and Chestnut School on 13 December 2010. Two additional consultation meetings were held, one for staff of Chestnut School on 13 December 2010 and one for governors at Chestnut School 4 January 2011.

The consultation document was sent to all staff, governors and parents of all pupils at St Margaret Clitherow School and Chestnut School.

The method of response was by hard copy response form attached to the consultation paper. A facility to download and submit forms electronically was also made available. Respondents were permitted to append additional information to response forms.

The respondents were required to state their name so as to ensure that each person submitted a single response form.

During the consultation period comments were also received in the form of letters and emails.

Levels of Participation in Consultation

The open meetings were well attended; around 100 people attended the meeting on 7 December 2010 and around 60 attended the meeting on 13 December 2010. Some people attended both meetings.

The meetings for staff and governors at Chestnut School were well attended.

175 response forms were received.

44 letters and emails were received.

Summary of Response Forms received

Responses were invited to the following Options

Option One: status quo

Option Two: a "simple" closure of Chestnut Primary School

Option Three: the closure of Chestnut Primary School and the relocation and enlargement of St Margaret Clitherow Catholic Primary School to the Chestnut site

Option Four; any other option emerging during consultation.

The numerical summary of the response forms received is set out below:

Consultation Group	Option 1	Option 2	Option 3	Option 4	No vote	Totals
Parent/Carer/Relative	56	21	7	31	2	117
School Staff	8	2	7	2		19
School Governor	2		4	5		11
Other	7		6	15		28
TOTALS	73	23	24	53	2	175
PERCENTAGE	42%	13%	14%	30%	1%	

Option One

This option has attracted most support. This is a mixture of respondents connected with Chestnut who wish the school to remain open and some who are connected with St Margaret Clitherow who do not wish their school to relocate, or do not wish their school to be involved in any proposal affecting Chestnut.

Option Two

This option was the least popular option numerically.

Option Three

This option attracted slightly more support than Option Two

Option Four

Option Four attracted a number of positive responses. This is the “any other option emerging” and there two main other options were circulated by specific respondents.

A proposal was submitted by Mr Callahan, a class teacher at Chestnut, for the school to re-organise into three teaching classes and continue. 32 respondents expressing support for Option Four have specifically mentioned support for Mr Callahan’s proposal.

A proposal on similar lines was submitted by Mr Henderson a Brixham Town Councillor.

Other suggestions were made

- Chestnut should close and all the children should be transferred to Eden Park Primary School
- The capacity of Eden Park School should be reduced to remove surplus places
- The capacity of several Brixham schools could be reduced.

The Views of “Special Interest” Groups.

Statutory guidance on consultation identifies that certain parties must be consulted and, in addition to these, the Mayor and the Diocese decided to add two parties to the prescribed list namely, the Brixham Community Partnership and the Brixham Catholic Parish, Our Lady Star of the Sea.

Parents of pupils at St Margaret Clitherow and Chestnut Primary Schools

There were meetings held on 7 December and 13 December 2010. The option arising from discussions was the formation of a federation with another Brixham primary school but it was acknowledged that this was dependent another school agreeing to that proposal. The merits and pitfalls of small schools were discussed. There was no collective decision on a preferred option.

Governing Body at Chestnut Primary School

At the consultation meeting held on 4 January 2011 the Governing Body decided that it could not reach a collective view. It was acknowledged that the Governing Body had unsuccessfully tried to reverse the decline in numbers which had been fuelled by rumours. The potential of becoming a school based on a 3 class organisation was discussed alongside the potential issues and problems that would arise.

Staff at Chestnut Primary School

No collective response was made during the consultation meeting held on 13 December 2010. The pros and cons of the option put forward by Mr Callahan to reorganise the school into 3 mixed classes were discussed.

Governing Body at St Margaret Clitherow Primary School

The governing body has been considering its position with regard to the scenario where the Diocese might be invited by the Council to relocate its school. At the time of this report's publication, the governing body has not submitted a collective view about this.

Staff at St Margaret Clitherow Primary School

No collective response was made, but some individual staff members responded.

Other schools affected by the proposals

All Brixham schools were consulted and two letters were sent in response signed by all the headteachers of Brixham schools. The heads were collectively in support of option 3 to close Chestnut Primary and relocate St Margaret Clitherow onto that site.

The CE Diocese

Completed a response form and expressed support for Option Three.

Devon County Council

No response was received.

Brixham Town Council

The Council consider this issue on 16 December 2010 and passed a minute that they would not support the closure of Chestnut Primary and that they would ask Torbay Council to explore other options.

The local Member of Parliament, Sarah Wollaston MP

Responded by email stating that she hoped Chestnut would continue on its current site if financially viable.

Brixham Community Partnership

No response was received

Brixham Catholic Parish Our Lady Star of the Sea

Responded with a letter and a petition from parishioners. The letter stated that they would welcome the opportunity to relocate St Margaret Clitherow to the site of Chestnut Primary.

Statutory Notice to Close Chestnut Primary School

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Torbay Council, Oldway Mansion, Paignton, TQ3 2TE intends to discontinue Chestnut Primary School, Chestnut Drive, Brixham, TQ5 0EQ on 31st August 2011.

The Local Authority (LA) is working closely with parents, pupils and schools to ensure that the transfer of pupils to other schools is as smooth as possible. Pupils will be offered places at other schools in the town of Brixham taking into account parental preference. The other schools in Brixham are Brixham Church of England Primary, Galmpton Church of England Primary, St Margaret Clitherow Catholic Primary, Eden Park Primary and Furzeham Primary. The LA is also liaising with the neighbouring LA (Devon) to secure places for parents who prefer to transfer their children to Kingswear Primary School. Parents have been asked to identify their preferences and once the LA has all the information it will then do its best to arrange for them to transfer to their preferred school. As there are currently sufficient primary places to accommodate the pupils from Chestnut the LA has no proposals to expand provision in the Brixham area.

Most of the pupils will be able to find places at schools within statutory walking distance from their home address. The LA recognises that some families may find it difficult to secure attendance at an alternative school without assistance and will provide support where there is evidence of hardship.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Catherine Harris, Policy & Planning Team, Children's Services, Oldway Mansion, Torquay Road, Paignton, TQ3 2TE or catherine.harris@torbay.gov.uk

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Catherine Harris Policy & Planning Team, Children's Services, Oldway Mansion, Torquay Road, Paignton, TQ3 2TE.

Signed:



Richard Williams, Executive Head Children, Families & Communities

Publication Date: 29th April 2011

Explanatory Notes

The demand for primary places in Brixham has been falling in the past few years. There are now 270 empty places spread across the 6 primary schools in Brixham and this is starting to have a detrimental effect on some schools. The LA has a statutory duty to manage the provision of school places and is therefore proposing the closure of Chestnut to reduce the number of empty places within the area.