

Wiltshire Council

Cabinet

6 February 2024

Subject: Proposed closure of Shalbourne C of E Primary School

Cabinet Member: Cllr Laura Mayes – Cabinet Member for Children’s Services, Education and Skills

Key Decision: Key

Executive Summary

Shalbourne C of E Primary School is located in the village of Shalbourne in north-east Wiltshire. The school has voluntary controlled status and is maintained by Wiltshire Council. The total number of children on roll as at the May 2023 school census was 30. However, by the start of the Autumn Term 2023 this number had reduced to 7 pupils. Whilst the school has always been small, the gradual decline in pupil numbers followed by a recent significant reduction in pupils has made the school both financially and academically vulnerable.

Wiltshire Council widely consulted on the proposal to close Shalbourne C of E School between 20 September 2023 and 20 October 2023. The responses were presented to the Cabinet Member for Children’s Services, Education and Skills in late October 2023 and an Individual Cabinet Member Delegated Decision was taken to proceed with the publication of a statutory notice to formally propose closure of the school with effect from 30 April 2024.

The notice was published on the 16 November 2023 with responses sought until 14 December 2023. No representations were received to this formal consultation.

This report presents the background to the proposed closure, the implications for the pupils and local community and the consultation responses received.

Proposal

Cabinet is asked to approve the proposal to close (without modification) Shalbourne C of E Primary School with effect from 30 April 2024.

Reason for Proposal

With pupil numbers now so low, with slim prospects of recovery, Shalbourne C of E Primary School is both financially and academically vulnerable, therefore closure is considered the only viable option.

**Terence Herbert
Chief Executive**

Wiltshire Council

Cabinet

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Purpose of Report

1. The purpose of this report is to provide Cabinet Members with all the relevant information to make an informed decision on the closure proposal for Shalbourne C of E Primary School.

Relevance to the Council’s Business Plan

2. The Local Authority has a statutory duty to ensure effective school organisation and sufficient school places are provided across the Council area.

Main considerations for the Council

3. By September 2023 the number of pupils on roll at the school had reduced to 7 pupils and there are now no pupils remaining at the school. Whilst Shalbourne C of E Primary School has always been small, the gradual decline in pupil numbers followed by a recent significant reduction in pupils has made the school both financially and academically vulnerable.
4. Section 15 of the Education and Inspections Act requires a Local Authority to publish statutory proposals where it is proposing to close a maintained school. Section 16 of the Act requires the Local Authority to consult such people as they feel to be appropriate and to have regard to guidance published by the Secretary of State before publishing such proposals. The Local Authority has a duty to consider any representations received as a result of that notice, before making a determination to approve or reject the proposal.
5. The Council, with the agreement of Salisbury Diocesan Board of Education, published a statutory notice and accompanying ‘Full Proposal’, proposing the closure of the school with effect from the 30 April 2024. In accordance with the guidance published by the Secretary of State, the consultation responses received need to be considered by Cabinet and a decision needs to be made whether to approve or reject the proposal.
6. As Shalbourne C of E Primary School is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2022 therefore as required by the Section 15(4) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) the Council must consider certain factors such as the impact on the local community, all of the required elements were included within the Full Proposal and are included in this report for consideration.

Background

7. Shalbourne C of E Primary School is located in the village of Shalbourne in north-east Wiltshire. The school has voluntary controlled status and is maintained by Wiltshire Council. The school currently has a published admissions number of 8, meaning that can admit up to 8 pupils into the reception class each year.

The total number of children on roll as at the May 2023 school census was 30. The numbers in each year group are shown in the table below.

Year	Reception	1	2	3	4	5	6
Number on roll	1	6	4	5	4	5	5

However, since May, a number of the children formerly on roll have now either relocated elsewhere or moved to other local schools. As the start of the Autumn term there were 7 children on roll, as shown below.

Year	Reception	1	2	3	4	5	6
Number on roll	1	1	2	1	1	0	1

Over the past few years, the number of children on roll at the school recorded in the October census has been as follows:

Year (October Census)	Number of Pupils on Roll
2014	49
2015	56
2016	54
2017	47
2018	41
2019	38
2020	32
2021	32
2022	31
2023	5

8. Based on a Published Admission Number of 8 pupils per year, the school has a capacity for 56 pupils. Over the last 10 years the highest number of pupils attending the school was 56 in October 2015. Numbers have been declining since that time and were 5 by October 2023. Based on the overall capacity of the school (56), the rate of surplus places has varied from 0% 2015 (lowest) to 91% in 2023 (highest).

Whilst the school has always been small, the gradual decline followed by the recent significant reduction in pupils has made the school both financially and academically vulnerable.

9. The headings and issues described below are those required by statutory regulations as set out in the DfE guidance "Opening and closing maintained schools : Statutory guidance for proposers and decision makers", in addition to those required by

Section 15(4) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) regarding the closure of a designated rural school.

Rural Primary Schools

10. Shalbourne C of E Primary School plays an important role in the community, especially as it is in a rural setting. The impact on the community of a school closure cannot be underestimated but this has to be balanced against the educational and financial sustainability of the school.

Wiltshire Council recognises the government's presumption against the closure of village schools, and will only bring forward proposals to close a rural school where it can be demonstrated that one or more of the following criteria are met:

- 1) ***There is only very limited demand for places at the school from children living within the designated area.***
- 2) ***Surplus places at the school exceed 25%.***
- 3) Standards are low and there is little confidence in the likelihood of improvement.
- 4) Recruitment of a head teacher has not proved possible.
- 5) The necessary improvements to the school accommodation are either not possible or not cost effective.
- 6) ***The school has a deficit budget without realistic prospects of recovery.***

In the present circumstances, Shalbourne C of E Primary School meets the first and second criteria and is projected to meet the sixth criteria for closure in the list above.

11. Shalbourne C of E Primary school is funded using the Wiltshire funding formula (in accordance with the national funding formula) which allocates money based upon the number of pupils on roll alongside a fixed level of funding.

The school is funded for 2023-24 financial year based upon the 31 pupils it had on roll as at October 2022, which gives a total school budget of £301,000. Given the drop in pupil numbers to 5 pupils by October 2023, the school budget for the 2024-25 financial year is estimated to be around £205,000. The school is projecting an in-year budget deficit for each of the next 5 years and based upon the drop in pupil numbers, fall into a cumulative deficit during the 2024-25 financial year.

There are a number of fixed costs faced by all schools such as;

- Employing a head teacher
- Compliance testing
- Health and safety requirements
- Maintaining school premises
- Finance, Administration and HR costs

In order for a school to manage its financial position, a pupil base of only 5 pupils will make the school financially unviable.

12. In looking at the educational provision, with a very small cohort then there is a question as to whether this is in the best interests of the children. Socially, with such limited numbers there is a concern around the limited opportunities to mix with peers and to have enough interaction with others at key transition points. Further, with

pupils from across the whole primary age range in what would need to be a single class moving forwards, this provides a high level of challenge in the ability of the school to deliver the National Curriculum given the breadth of age range. In this scenario, there is also the impact on staff to consider with teachers needing to take on significant responsibility across a number of areas that would be a concern from a workload perspective.

13. Academisation was considered during the last academic year but ultimately a suitable academy trust, with approval from the Regional Director (DfE), was not identified. With pupil numbers now so low, with slim prospects of recovery, it is extremely unlikely that academisation would be approved on grounds of viability. Given the low numbers of pupils, continuing to run education provision from the site as part of a federation with another school would still not be financially viable.
14. Where children are entitled to free home to school transport, this will be provided by Wiltshire Council. Please see the section on travel and transport below. The cost to the Council is anticipated to be a maximum of £5k per annum.
15. Shalbourne C of Primary School was last inspected by Ofsted in November 2022 and the outcome was that it continued to be a 'Good' school. The nearest Wiltshire school to Shalbourne C of E Primary School is Great Bedwyn C of E School (3.4 miles) which has yet to be inspected following academisation but was previously rated 'Outstanding'. The next nearest school is St Katherine's C of E Primary School (5.9 miles) which is a 'Good' school, followed by Burbage Primary School (6.4 miles) which is also a 'Good' school. In neighbouring West Berkshire Local Authority, Hungerford Primary School (3.8 miles) is also rated 'Good'. The small increase in pupil numbers at these other schools as a result of the closure of Shalbourne C of E Primary School is not expected to negatively impact on their educational standards but will aid the continued viability of these other schools.

Displaced Pupils

16. At the time of writing there are no pupils remaining on roll at Shalbourne C of E Primary School. All former pupils have been offered places at alternative schools in accordance with parental preference.
17. A review of area health authority data which provides the number of 0-4 year olds living in the school's catchment area shows very low numbers of pre-school aged children. On average there are currently 4 children per cohort aged 0-4 living in the catchment area. In addition, parental preference for admission to the school has been low in recent years.
18. As at October 2023, the closest Wiltshire schools in the surrounding area had the following numbers on roll and available places:

School	Number on Roll (Yr R to Y6)	Capacity (PAN x 7)	Notionally Available Places
Great Bedwyn C of E Primary	194	210	16
Burbage Primary School	158	203	45
St Katharine's Primary School	97	105	8

In addition to the above, there are primary schools over the border in West Berkshire and Hampshire that had surplus places as at October 2023.

19. If the decision is made to close Shalbourne C of E Primary School, the schools catchment area will need to be allocated to an alternative school. The closest school to Shalbourne C of E Primary School is Great Bedwyn C of E School at approximately 3.4 miles away. Therefore, it seems most sensible to allocate the catchment area to Great Bedwyn C of E School. Great Bedwyn C of E School, like Shalbourne C of E Primary School, also lies with the secondary catchment area of Marlborough St John's Academy so there would be no change to the designated secondary school for the area.

Excalibur will consult on this proposed change to the Great Bedwyn C of E School catchment area as part of their Admissions Arrangements for 2025. Their Admissions Arrangements for 2024 have already been determined, however, the Council will work with Excalibur to ensure that no Shalbourne resident pupils will be disadvantaged in the interim period.

20. It is important to note that Great Bedwyn C of E School has a published admissions number of 30, meaning that it can admit up to 30 pupils per year group. On average there are currently 18 children per cohort aged 0-4 living in the school's catchment area. Therefore, for future admissions into reception, the school has sufficient places for both the children already resident in its catchment area, plus those children resident in the current Shalbourne catchment area.

Impact on the Community

21. Shalbourne C of E Primary School plays an important role in the community, especially as it is in a rural setting. The impact on the community of a school closure cannot be underestimated but this has to be balanced against the educational and financial sustainability of the school.

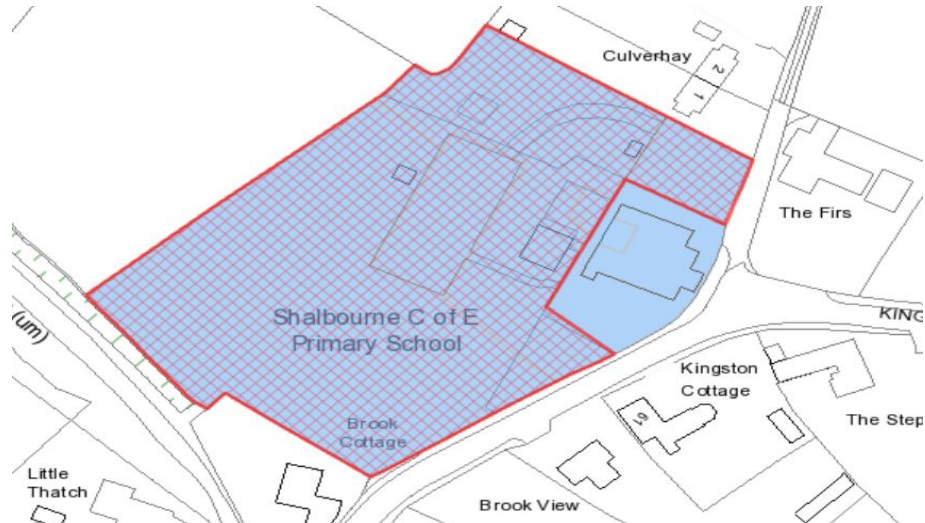
Shalbourne C of E Primary School currently has a low level of demand, as reflected in the existing number on roll. Closure would, however, be a restriction on potential future local children who may wish to access this specific school. In September 2022 and September 2023, only 1 child was admitted into reception each year. This reflects the low number of children living within the catchment area and parental preference for the school being low in recent years.

Given the level of surplus places in other local schools, the closure of Shalbourne C of E Primary School would not impinge on the Council's duty to provide appropriate

statutory education for all residents who require it. All pupils would have continued access to alternative Ofsted rated 'good' or 'outstanding' local provision. Additionally, existing pupils, at Shalbourne C of E Primary School, would be given access to a more sustainable school as a result of this proposal.

22. It is recognised that those living in Shalbourne village would no longer have a school they can walk to. Further information on travel and transport is given below.

23. A plan showing the ownership of the school site is below.



The pale blue area containing the school building is held by the Salisbury Diocesan Board of Education (SDBE) as trustees on an Educational Land Trust, dated 31st May 1873. Via this trust the then Marquis of Ailesbury gave this site to effectively the Church in England to be used as a Church of England School only in perpetuity. However if the area ceases to be used for the purpose of a Church of England School, under the School Sites Act 1841 and Reverter of Sites Act 1987, the trustees must sell the site and the net proceeds of sale be returned to the descendants of the Marquis of Ailesbury who set up the trust in 1873. The trustees have to follow the legal requirements of the Acts and cannot allow the site to be used for any other purpose than a Church of England School.

The remainder of the site, outlined in red, is in the ownership of Wiltshire Council. Part of this land is the school playing field which is protected as such by Section 77 of the School Standards and Framework Act 1998. The future use of the school site is a separate matter from the proposed closure, and consideration will be given to other potential uses of the site in due course.

The school is not currently used by the community for any activities e.g. evening lettings.

Balance of Denominational Provision

24. Shalbourne C of E Primary School is a Church of England School. The two nearest schools in Wiltshire, Great Bedwyn and St Katherine's, are also both Church of England Schools so there remains a good balance of denominational provision in the area.

Travel and Transport

25. The distances to nearby schools are as follows:

School	Type	Distance
Great Bedwyn C of E School	Church of England, Academy	3.4 miles
Hungerford Primary School (West Berkshire)	Community School	3.8 miles
Inkpen Primary School (Hampshire)	Community School	4 miles
St Katherine's C of E Primary	Church of England, Academy	5.9 miles
Burbage Primary School	Academy	6.4 miles

26. All children are entitled to free home to school transport if they attend the nearest school to their home address and they:

- are of statutory school age
- live more than two miles away by the shortest walking route for those under 8-years old or more than three miles for those over 8 years old
- live under two miles away but all walking routes are considered unsafe

Free transport would be provided for all those living in the current Shalbourne school catchment area to the next nearest school with an available place, in accordance with the policy outlined above.

Historically it has only been those children resident in Shalbourne village itself that have been able to safely walk to school. For the remainder of the catchment area it is not possible to safely walk to the school and free transport has historically been provided to the school for those pupils. The number of additional car journeys as a result of this proposal will therefore be minimal.

Consultation

27. Wiltshire Council widely consulted on the proposal to close Shalbourne C of E School between 20 September 2023 and 20 October 2023. This included the circulation of a consultation document to a number of stakeholders as listed below.

- Parents of current pupils
- Parents of children not yet of school age in the designated area of the school
- Staff
- Unions
- Governors
- Salisbury Diocesan Board of Education
- West Berkshire and Hampshire Local Authorities
- The Local Wiltshire Councillor

- The Local M.P.
- Wiltshire School Transport Manager
- Heads and Chairs of Governors of nearby primary and secondary schools
- Excalibur Academies Trust
- Nearby pre-schools and nurseries
- Shalbourne Parish Council

Three consecutive consultation events were also held with parents, staff and all other stakeholders who wished to attend on the 5 October 2023. One parent attended the parent's session, and a conversation was held specific to the family circumstances. A presentation was given by HR to staff at the staff session, where staff were also supported by a member of the GMB Union. The final session was attended by a small number of local residents and Governors and the notes from this meeting are attached in Appendix A.

28. Six written responses were also received. The first was from a local resident who supported the proposed closure and the proposed re-allocation of the catchment area to Great Bedwyn C of E School.

The second was from West Berkshire Local Authority, who advised that they had considered the sufficiency of places in the area and on both sides of the border and concluded "We have sufficient places to accommodate demand from our catchment pupils and sufficient schools remain to offer families a choice. The proposed closure is therefore unlikely to have an impact on our families or our place planning".

The third response was from Salisbury Diocesan Board of Education, confirming that they supported the proposed closure given the low demand for places and the resultant effect on the educational and financial viability of the school.

The fourth response was from Excalibur Academy Trust stating that they supported the suggestion of the move of catchment area for Shalbourne CofE Primary School to Great Bedwyn C of E School.

The fifth consultation response was from Shalbourne Parish Council who requested that a lessons learnt investigation be carried out into the precipitous decline in pupil numbers to prevent a similar situation arising again, and to request liaison with the village regarding the future of the school site in due course.

The final consultation response was a response from the Governors of the school. This said that they reluctantly agreed to the proposed closure of the school and the reallocation of the catchment area to Great Bedwyn C of E School. The Governors expressed great sadness that the closure of the school had been proposed, and also frustration that they had not been able to convert to an academy. The response concluded "The school has, for generations, provided a uniquely caring, nurturing environment in which children have flourished. The latest OFSTED inspection found the school to be 'Good'. As governors, we recognise that the current situation, with so few pupils on roll, is unsustainable – both financially and, most importantly, in terms of the welfare of the current pupils. And it is the welfare of the pupils and staff and parents at this difficult and upsetting time that remains our highest priority."

No consultation responses were received from parents who currently had children in the school, nor other schools/pre-schools in the area.

29. Following consideration of the consultation responses an Individual Cabinet Member Delegated Decision was taken by the Cabinet Member for Children, Education and Skills to publish a statutory notice to formally propose the closure of the school. The notice was published on the 16 November 2023 with responses sought until 14 December 2023. No representations were received to this formal consultation.

Overview and Scrutiny Engagement

30. Not applicable.

Safeguarding Implications

31. When a decision is taken to close a school, it is of utmost importance that the children currently attending the school are allocated an alternative school place. In this case, all parents have already submitted school applications and secured alternative places for their children, no children remain on the roll of the school.

As mentioned above, free transport would be provided for all those living in the current Shalbourne school catchment area to the next nearest school with an available place, in accordance with the policy outlined above.

Public Health Implications

32. As mentioned above, there are concerns that such a small school currently limits the social interaction for pupils. Attending an alternative school with more pupils would create an increased opportunity for pupils to participate in team sports, thereby promoting healthy behaviours. It is, however, noted that for those who live in Shalbourne village itself there would no longer be a school that they can walk to.

Procurement Implications

33. Since this proposal relates to the closure of Shalbourne C of E school, there are no direct corporate procurement implications. Indirect corporate procurement implications may include the requirement for new home to school transport routes.

Equalities Impact of the Proposal

34. The Local Authority recognises that the closure of a small school will impact on children who will be required to move schools, those families that have chosen the school because of its small size and families who have opted for a faith education (Church of England). However, there are now no pupils remaining on roll.

Several of the alternative local schools are also Church of England schools, including the closest school which is Great Bedwyn C of E School. The local authority has a moral and legal duty to ensure pupils receive a good standard of education and as explained above, with a significantly reduced budget the school's ability to deliver the national curriculum would be negatively impacted if the school remained open. The small number of pupils on roll would also limit pupil's opportunity for social interaction.

Environmental and Climate Change Considerations

35. In the eventuality that Shalbourne C of E Primary School remained open, the environmental impact of the school would be expected to remain high compared to other schools. This is based on the fact that the school operates with a large surplus of capacity.

A very small number of pupils living within the school's catchment area can safely walk to school at present. These children will need to be transported to neighbouring schools, increasing the need for car journeys.

Workforce Implications

36. The school is not financially sustainable using the current staffing model both now and in the future, therefore, informal consultations with staff have commenced around redundancy. If the school closes, redundancy payments can be made for staff with qualifying service.

Risks that may arise if the proposed decision and related work is not taken

37. If the decision is not taken, then the school will continue to operate with extremely low numbers on roll. Given the drop in pupil numbers, the school budget for the 2024-25 financial year is estimated to be around £205,000. The school is therefore projecting an in-year budget deficit for each of the next 5 years and based upon the drop in pupil numbers, would fall into a cumulative deficit during the 2024-25 financial year. The school is therefore not financially sustainable.

38. Given the financial position above, the school would need to reduce to just one class. This provides a high level of challenge in the ability of the school to deliver the National Curriculum given the breadth of age range. The quality of provision at the school would therefore be difficult to sustain.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks.

39. There is a risk that places could not be found locally for children living in the current Shalbourne catchment area. However, this is very unlikely given the surplus places remaining in the alternative schools as mentioned above.

40. There is a risk that transport costs will increase for those that have previously been able to walk to Shalbourne C of E Primary School. The costs are likely to be limited given that there are only a small number of children resident in Shalbourne and that eligibility for transport is limited to only those that attend the next nearest school with an available place.

Financial Implications

41. Should the decision be taken to close Shalbourne C of E Primary School, there will be redundancy costs associated with this decision. There will also be ongoing transport costs of approximately £5k per annum. These costs need to be seen in the context of a projected school budget deficit from 2024/25.

Legal Implications

42. Section 15 of the Education and Inspections Act requires a Local Authority to publish statutory proposals where it is proposing to close a maintained school. Section 16 of the Act requires the Local Authority to consult such people as they feel to be appropriate and to have regard to guidance published by the Secretary of State before publishing such proposals. The Council has a duty to consider any representations received as a result of that notice, before making a determination to approve or reject the proposal.

When exercising functions under these regulations regard must be had to guidance published by the Department for Education (DfE), "Opening and Closing Maintained Schools, Statutory Guidance for Proposers and Decision Makers (Jan 2023), which sets out the procedure to be followed. In addition, as this is a designated rural school, attention needs to be paid to the considerations set out at page 24 of the guidance, *Rural schools and the presumption against closure*.

A copy of these statutory guidance documents can be found at: [Opening and closing maintained schools \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/Opening_and_closing_maintained_schools.pdf). All of the required considerations have been included within this report.

In accordance with the guidance, the consultation responses need to be considered and a final decision on the proposal to close the school needs to be made by Cabinet. If closure is approved, then the school would legally close on 30 April 2024.

When making a decision, the decision maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable; or
- approve the proposal, with or without modification, subject to certain conditions (such as the granting of planning permission) being met.

Options Considered

43. Academisation was considered during the last academic year but ultimately a suitable academy trust, with approval from the Regional Director (DfE), was not identified. With no pupils now on roll, with slim prospects of recovery, it is extremely unlikely that academisation would be approved on grounds of viability.

As Shalbourne School is both financially and academically vulnerable, closure is the considered to be only viable option.

Conclusions

44.

- 1) Pupil numbers have been low and have recently significantly declined, with no pupils remaining on roll. With such low numbers of children living in the school catchment area and low parental preference for the school, there is no realistic prospect of recovery.
- 2) The school is projecting an in-year budget deficit for each of the next 5 years and based upon the drop in pupil numbers, will fall into a cumulative deficit during the 2024-25 financial year.

- 3) Socially, with such limited numbers there is a concern around the limited opportunities to mix with peers. Further, with pupils from across the whole primary age range in what would need to be a single class moving forwards, this provides a high level of challenge in the ability of the school to deliver the National Curriculum given the breadth of age range.
- 4) Considering the above, the only viable option is to close the school.
- 5) Sufficient pupil places are available at other local schools which are rated Ofsted Good or Outstanding.

Proposal

45. To approve the closure (without modification) of Shalbourne C of E Primary School with effect from 30 April 2024.

Richard Hanks (Director - Education & Skills)

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6 February 2024

Appendices

Appendix A – Notes from the consultation meetings held on 5 October 2023

Appendix B – Statutory Notice published on 16 November 2023

Background Papers

None