



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**28 July 2022**

**Report of the Executive Director of Children's Services**

**Proposal to close Wirksworth Infant School**

**1. Divisions Affected**

1.1 Wirksworth

**2. Key Decision**

2.1 This is a key decision because pupils of the closing school could apply for schools outside of the locality, thus impacting two or more wards.

**3. Purpose**

3.1 To report on the outcome of the pre-publication consultation carried out by the Governing Body of Wirksworth Federation of Infant Schools on the proposed closure of Wirksworth Infant School ('the School'), and to seek permission to proceed to a statutory consultation on the proposed closure.

**3. Information and Analysis**

There are two infant schools in Wirksworth – Wirksworth Infant School and Wirksworth Church of England (CofE) Infant School. The two schools are federated under one full-time headteacher and they have a joint governing body. Despite rationalisation of staff and other resources the federation has a deficit balance and is projected to be unable to balance its budget over the medium term if it continues to operate two schools.

Both schools occupy buildings dating back to pre-1919. Wirksworth CofE Infant School had a project to replace a temporary building with a new purpose built EYFS classroom/outdoor play space and office extension in 2015, but still have one classroom in a modern modular building. The sites of both schools are well below the recommended Department for Education Building Bulletin 103 site areas (BB103), with Wirksworth CofE School measuring 2213m<sup>2</sup> and the Wirksworth Infant School measuring 989m<sup>2</sup>. The two school sites have shortfalls in teaching and support space and there is no scope for expansion on either site. Each school currently has a Pupil Admission Number ('PAN') of 20 and net capacity of 60, giving a total of 120 places across the two schools. The teaching space at Wirksworth CofE Infant School comprises of 3 classrooms and a small hall. The school capacity was previously set at 87 by utilising half of the hall as a classroom. The teaching space at Wirksworth Infant School comprises of 2 classrooms, a small hall and a group/general teaching space. The school capacity was previously set at 90 with the general teaching/group space used as a third classroom. There are significant level changes in the school which are currently accessible with stairwells and due to the age of the building it does not lend itself to full accessibility. The School is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2021 and the following matters were taken into careful consideration since there is a presumption against the closure of a rural primary school:-

- The scope for an extended school to provide local community services and facilities, for example, child care facilities, family and adult learning, healthcare, community internet access Wirksworth Town is well stocked for community provision and any future community provision need identified could be catered for at Wirksworth C of E Infant School
- Transport Implications and the overall and long-term impact on the local community of the closure of the school. Due to the proximity of Wirksworth C of E Infant and other surrounding schools this was considered not to be a significant factor.
- The size of the School and whether it puts the children at an educational disadvantage. The Governing Body have considered the reorganisation and if the closure proposal proceeds, it will enable to children to be taught in single year classes at Wirksworth C of E School.
- The loss of the School building as a community facility. The future use of the building will be considered dependant on the outcome of the statutory consultation.
- Wider School organisation and capacity of good schools in the area to accommodate displaced pupils – Wirksworth CofE Infant School is 200 yards away from the school and has an Ofsted rating of good.

## Projections

The future pupil projections and the previous pupil numbers for the two schools are shown below.

	Historic					Current	Projections				
	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27
Wirksworth CE (Controlled) Infant School	76	79	65	60	54	<b>47</b>	38	41	39	37	35
Wirksworth Infant School	46	41	42	37	36	<b>31</b>	27	28	28	27	26
<b>Total</b>	<b>122</b>	<b>120</b>	<b>107</b>	<b>97</b>	<b>90</b>	<b>78</b>	<b>65</b>	<b>69</b>	<b>67</b>	<b>64</b>	<b>61</b>

The projections however do not include the pupils likely to come from the housing growth. The strategic housing growth in Wirksworth as identified in the Local Plan is shown in the table below:

Site Name	Size	No of houses	Planning Status	Infant yield
Land off Middleton Road/Cromford Road, Wirksworth (18/00741/OUT)	9.46 ha	151	Pending	13
Land at Middle Peak Quarry, Wirksworth	62 ha	645	Not yet submitted	55
<b>Number of allocated dwellings</b>		<b>771</b>		<b>68</b>

The Wirksworth notified site was located in the land off Middleton Road however it has now been moved to the Middle Peak Quarry site and there is provision for a new school to serve that development and possibly the whole of the town. The timing of that new school is however uncertain and is unlikely to be delivered before children start to be accommodated in the new houses. The site off Middleton Road is progressing and the existing schools will have to accommodate the pupils from that development. The additional 13 pupils and some of the 55 could therefore have to be accommodated in the existing school(s) in the interim period. If the outcome of the Statutory Consultation supported the closure of Wirksworth Infant School, the capacity at Wirksworth CofE Infant School could be increased back to 87 by utilising the hall. There would also be additional options to consider in regard of the existing Wirksworth Infant School building to further support the increase in pupil numbers.

## **5. Pre-publication Consultation**

- 5.1 The Governing Body of Wirksworth Federation of Infant Schools undertook a pre-publication non-statutory consultation which took place from 25 April 2022 to 20 May 2022. The consultation does not form part of the statutory process under the Education and Inspections Act 2006 and School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, but was considered as opportunity by the Governing Body to engage with the local school community and to seek their initial responses about the proposed closure of the School. A copy of the pre-publication consultation can be found at Appendix 2. There were 19 responses to the consultation. 12 responses were in support of the proposal and only 2 were against, the remainder of the respondents didn't state a preference; they only commented on their concerns or reasons why they believed the decision for the closure had been made. There were common themes to the responses and therefore they have been grouped together. The below summarise the responses to pre-publication consultation.

### **In support**

12 respondents were in support of the proposal listing a better transition of students, straight year groups, unity of children and staff, budgets and the prevention of having to mix classes as positives.

9 respondents also referred to falling numbers, cost and falling budgets and that this helped them to understand why the decision had been made.

### **Against**

2 respondents were against the proposal due to concerns around children's wellbeing and the impact of the unsettling impact for children who don't deal well with change.

### **Quality**

6 respondents expressed satisfaction at the quality of both current existing infant school provisions.

### **Continuity of Education**

13 respondents have expressed concerns regarding the continuity of education from the Infant Schools to the Junior School

### **Wirksworth infants and its use after closure**

7 respondents expressed concerns around Wirksworth Infant school, and the sites plans after closure, hoping that the building would be maintained or used for other purposes which would benefit the Infant CoE school or community.

### **Space**

2 respondents had concerns over classroom capacity and merging the students onto one site. Further concerns were also expressed by these respondents over losing the hall and the nurture room.

### **Closing the onsite kitchen**

3 respondents expressed concerns over losing the onsite kitchen which is currently at the Wirksworth Infant school. The impact on school meal uptake, quality, quantity and options available being the main themes.

Of the 13, 12 of the respondents requested for the Local Authority to act into looking into the falling numbers of the Infants and the Junior schools and to look further into the pre-school, early years and Junior education in Wirksworth.

5 respondents also referred to parents choosing to send their children out of area and 2 noted the environmental impact of driving children to alternative schools.

## **6. Alternative Options Considered**

6.1 Option 1 - Not to proceed. The school would remain open but the Governing Body would be unable to set a balanced budget, with the schools deficit balance predicted to be £128,130 by 2025-26.

Option 2 - Federation with another local school. The School is already federated with Wirksworth C of E Infant School. This was considered as an unviable option as there no other suitable schools in which the School could form a federation with. In any event it would not resolve the budget issues.

Option 3 - Conversion to Academy Status. This was considered to be an unviable option.

## **7. Implications**

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

8.1 These are held on file in the Children's Services Development Section

- Census data
- Budgets for the school
- Pupil places planning data
- Housing trajectory

- Building repairs and maintenance costs

## **9. Appendices**

- 9.1 Appendix 1- Implications.
- 9.2 Appendix 2- Wirksworth Federation of Infant Schools non-statutory Consultation
- Appendix 3 - Proposed Statutory Consultation Document

## **10. Recommendation(s)**

That Cabinet:

Notes the responses to the non-statutory consultation on the proposed closure of Wirksworth Infant School and seeks permission to proceed to the issue of a Statutory Consultation.

## **11. Reasons for Recommendation(s)**

- 11.1 In response to the support from the outcome of the pre-publication consultation.

## **12. Is it necessary to waive the call in period?**

- 12.1 No

**Report Author: Jenny Webster**

**Contact details: x35808**

### **Implications**

#### **Financial**

- 1.1 There are no financial implications to report at present. If members approve to proceed to statutory consultation, any financial implications will be reported to Cabinet at a later date dependant on the outcome of the statutory consultation.

#### **Legal**

- 2.1 The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 sets out the statutory processes for the consultation, proposal, and implementation requirements for the discontinuance of a maintained community school, which is further explained in the Department for Education's *'Opening and closing maintained schools: statutory guidance for proposers and decision makers'* (November 2019)

#### **Human Resources**

- 3.1 Staff currently at the School can be reallocated to roles at Wirksworth Infant CofE Infant School. This, alongside some recent staff turnover, means that redundancies are not anticipated if the School were to close.

#### **Information Technology**

- 4.1 None

#### **Equalities Impact**

- 5.1 The local authority is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty, 'PSED') in determining these proposals. An Equality Impact Assessment will be undertaken as part of the consultation process to identify the equality implications of this proposal and any appropriate mitigation

#### **Corporate objectives and priorities for change**

- 6.1 Not applicable

**Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 Derbyshire County Council has a statutory duty to ensure there are sufficient primary and secondary school places and is committed to working in close partnership with schools, academy trusts, the dioceses and key partners to ensure that the supply of school places across Derbyshire is in the right location, is of sufficient size, is viable and of good quality. We know that schools can face challenges in meeting pupils' needs, particularly where pupil numbers are falling, and that in some cases, changes to the pattern of school organisation in an area can help secure the viability of schools, improve opportunities and raise standards.

## Appendix 2

### **Consultation on the Proposed Closure of Wirksworth Infant School**

This document is intended to set out the reasons why the Governing Body of Wirksworth Infant School intends to propose to the Local Authority (Derbyshire Country Council - LA) to close the School. This is known as the pre publication consultation period. If the Governing Body were to decide to propose to the LEA to close the school, the LA would be required to publish a formal notice and consult prior to a formal decision being made. It includes:

- Details of the rationale behind the Governing Body's proposal;
- The dates and times of information sessions where you can find out more;
- A link to the online consultation document (paper copies are also available).

### **Introduction and Background**

The Governing Body of Wirksworth Infant School, following much discussion, has decided to consult on the proposal to close Wirksworth Infant School. If agreed, the proposal would mean that Wirksworth Infant School would close at the end of July 2023. This consultation will run from **25th April 2022 to 20th May 2022**, during which time you are invited to respond to the Governing Body's proposal.

In order for you to ask any questions you need to inform your understanding of the Governing Body's proposal, we are holding various open information sessions. You may wish to attend one of these sessions before responding to the consultation. They will take place at the school as follows:

- Parent Forums: Open Q&A with the Headteacher, Governor representatives and LA Officers

**Wednesday 4<sup>th</sup> May 3:15pm** at Wirksworth Church of England Infant School

**Thursday 5<sup>th</sup> May 3.15pm** at Wirksworth Infant School

Your views are extremely important to us, so please either access the consultation online at [www.wirksworth-infederation.co.uk](http://www.wirksworth-infederation.co.uk) or alternatively you may request a paper copy from the school reception.

Please email your responses to the clerk to the Governors at [antonia.donoghue@wirksworth-inf.derbyshire.sch.uk](mailto:antonia.donoghue@wirksworth-inf.derbyshire.sch.uk) or by post to Wirksworth Infant School, Harrison Drive, Cemetery Lane, Wirksworth, Derbyshire DE4 4GZ or mark them in an envelope for the Clerk of Governors and hand into the school office.

**All consultation responses must be completed and returned by 4 pm on Friday 20<sup>th</sup> May 2022.**

**All responses will be considered before deciding whether to request that Derbyshire County Council consider the closure of Wirksworth Infant School.**

David Salt – Chair of Governors

Joanne Poyser – Headteacher

### Statutory Consultation on the Closure of Wirksworth Infant School

There are two infant schools in Wirksworth – Wirksworth Infant School and Wirksworth CE Infant School which are 0.2 miles apart. The two schools are federated under one full-time headteacher and they have a joint governing body. Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, this has not addressed the financial challenges faced by the federation which has experienced difficulties in balancing its budget and despite rationalisation of the staff and other cuts, there are very few options left to achieve an acceptable budget.

#### The Buildings

Both schools are in buildings dating back to pre-1919. Wirksworth Church of England Infant School had a project to replace a temporary building with a new purpose built EYFS classroom/outdoor play space and office extension in 2015, but still have one classroom in a modular building. The sites of both schools are well below the recommended Department of Education Building Bulletin 103 site areas (BB103) with Wirksworth Church of England School measuring 2213m<sup>2</sup> and Wirksworth Infant 989m<sup>2</sup>.

Each school currently has a Pupil Admission Number (PAN) of 20 and net capacity of 60, giving a total of 120 places across the two schools.

The teaching space at Wirksworth C E Infant School comprises of 3 classrooms and a small hall. The School capacity was previously set at 87 by utilising half of the hall as a classroom.

The teaching space at Wirksworth Infant School comprises of 2 classrooms, a small hall and a group/general teaching space. The School capacity was previously set at 90 with the general teaching/group space used as a third classroom. There are significant level changes in the school and it does not lend itself to full accessibility.

The accommodation at both schools is below that recommended in BB103 and both have shortfalls in teaching and support space. There is no scope for expansion on either site and an increase in the capacity of either school could only be achieved by reverting back to the previous room uses as described above.

#### Projections

The projections for the two schools are shown below.

	Actual	Projected			
	2021/22	22/23	23/24	24/25	25/26
Wirksworth CE Inf	47	45	49	46	45
Wirksworth Inf	31	35	36	35	34
	<b>78</b>	<b>80</b>	<b>85</b>	<b>81</b>	<b>79</b>

The projections however do not include the pupils likely to come from the housing growth.

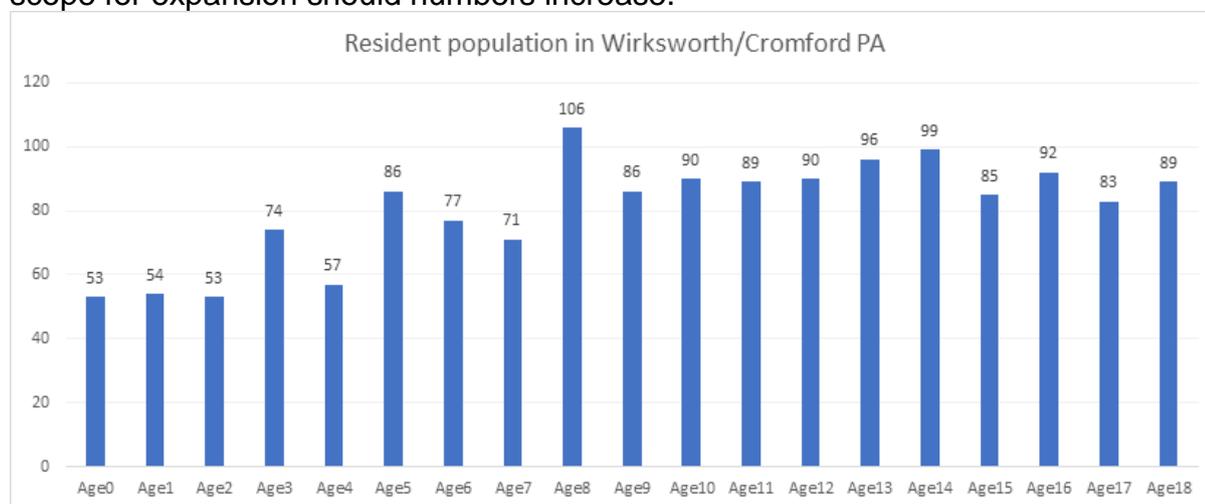
The strategic housing growth in Wirksworth as identified in the Local Plan is shown in the table below:

Site Name	Size	No of houses	Planning Status	Infant yield
Land off Middleton Road/Cromford Road, Wirksworth (18/00741/OUT)	9.46 ha	151	Pending	13
Land at Middle Peak Quarry, Wirksworth	62 ha	645	Not yet submitted	55
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The Wirksworth notified site was located in the land off Middleton Road however it has now been moved to the Middle Peak Quarry site and there is provision for a new school to serve that development and possibly the whole of the town. The timing of that new school is however uncertain and is unlikely to be delivered before children start to be accommodated in the new houses. The site off Middleton Road is progressing and the existing schools will have to accommodate the pupils from that development. The additional 13 pupils and some of the 55 could therefore have to be accommodated in the existing school(s).

## Places Planning

The schools sit within the Wirksworth/Cromford Planning Area. Whilst there is some surplus projected for the next 5 years in Wirksworth, there is limited space capacity at other schools within the planning area which are small rural schools by nature and are likely to offer little scope for expansion should numbers increase.



Please note that this is current population and does not include those likely to move to new housing.

## Admissions

Should Wirksworth Infant School close on 31 August 2023 it is proposed that, for admissions purposes, parents and carers of children at Wirksworth Infant School would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they

would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is not possible, at the nearest school to the child's home where a place is available. We would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the Derbyshire County Council website at <https://www.derbyshire.gov.uk/education/schools/school-places/apply-for-a-school-place.aspx>

For information about which schools have spare places and whether your child/ren would qualify for free home to school transport please contact the admissions team on 01629 533190 or [admissions.transport@derbyshire.gov.uk](mailto:admissions.transport@derbyshire.gov.uk)

### **Impact on the Community**

Consideration has been given into the impact on the community if Wirksworth Infant School were to close. Given the close proximity of Wirksworth C of E Infant School there is no negative impact as there will still be well regarded infant provision within the community.

### **Implementation**

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. There are five stages to the statutory process which must be followed:

**Consultation** The publication of this consultation document marks a period of consultation during which the views of interested parties are sought and which will be considered by the local authority.

**Publication** Dependent upon the outcome of the consultation, the local authority will decide whether or not to publish statutory notices regarding the proposed closure.

**Representation** The representation period starts on the date of publication of the statutory notice and must last for a period of four weeks. During this period, any person or organisation can submit comments on the proposal to the local authority, to be taken into account before a final decision is taken.

**Decision** Within two months of the end of the representation period the local authority must make a decision on the proposal.

**Implementation** If the proposal is approved, Wirksworth Infant School would close on 31 August 2023.

### **Rural schools and the presumption against closure**

The local authority acknowledges that there is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and in the best interests of educational provision in the area. There are a number of factors set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that must be taken into account when proposing to close a rural primary school; the local authority has had regard to these and will continue to take them into account during the consultation process.

**The consultation on this proposal will be from 5<sup>th</sup> September 2022 to 30<sup>th</sup> September 2022**

The consultation document is available on the Derbyshire County Council website at [www.derbyshire.gov.uk/council/have-your-say](http://www.derbyshire.gov.uk/council/have-your-say) or by request from Jenny Webster on Tel: 01629 535808 or by e-mail to [jenny.webster@derbyshire.gov.uk](mailto:jenny.webster@derbyshire.gov.uk)

Within four weeks of the publication of this notice, any person may object to or comment on the proposal by writing to the address or by sending an e-mail to the contact details below.

Jenny Webster, Development Manager, Derbyshire County Council, North Block, County Hall, Matlock, Derbyshire DE4 3AG or [jenny.webster@derbyshire.gov.uk](mailto:jenny.webster@derbyshire.gov.uk)

**The deadline for receiving responses is Friday 30<sup>th</sup> September 2022.**



**Carol Cammiss**  
**Executive Director – Children’s Services**