

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 60

**Subject:** Proposal for Closure of St Peter's Community Primary and Nursery School

**Date of meeting:** CFS committee 29 February 2024  
Full Council 4 March 2024

**Report of:** Executive Director Families, Children & Learning

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**Ward(s) affected:** All

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the representation period following the publication of a statutory notice in respect of the school closure proposal did not end until 20 February 2024. Sufficient time then needed to be allowed for consideration and analysis of representations received.

### For general release

#### 1. Purpose of the report and policy context

1.1 In response to the fall in primary pupil numbers both in Brighton and Hove and nationally, and the consequential impact on schools' finances and the Council's own funding position, it is proposed that two, one form entry primary schools are closed. This proposal will assist in addressing the number of unfilled places in the city, having considered the longer-term viability of both schools in relation to pupil numbers, financial viability and the availability of places in the surrounding area.

1.2 This report details the response to the recent publication of Statutory Notices and the earlier public consultation on the proposal to close St Peter's Community Primary and Nursery School on 31 August 2024 and seeks approval to recommend the school's closure to Full Council.

#### 2. Recommendations

##### Recommendations to Children, Families and Schools Committee 29 February 2024

2.1 That Committee notes the responses received during the representation period following the publication of a Statutory Notice on 23 January 2024 proposing closure of St Peter's Community Primary and Nursery School.

- 2.2 That Committee agrees to recommend to Full Council the closure of St Peter's Community Primary and Nursery School with effect from 31 August 2024 to Full Council, for consideration by Full Council on 4 March 2024.

#### Recommendations to Full Council 4 March 2024

- 2.3 That Full Council accept the recommendation from the meeting of Children, Families and Schools Committee on 29 February 2024 and notes the draft minutes.
- 2.4 That Full Council approve the closure of St Peter's Community Primary and Nursery School with effect from 31 August 2024.

### **3. Context and background information**

- 3.1 The proposal is made in the context of the school being unable to meet its published admission number over a number of years and significantly falling pupil numbers across the city. Pupil numbers across the city are projected to continue to fall further in the coming years, which has the potential to generate a decline in the first preference applications to the school. This is occurring in a context of an already excessive number of surplus school places in the city, causing an unsustainable and increasing financial burden to schools and so the Council, in the context of unprecedented pressures to the overall Council budget.
- 3.2 The number of primary school age children in the city has dropped significantly in recent years. The national Census undertaken in 2021 revealed that there was a 22% drop in children aged 0-4 living in the city in the 2021 census compared to the 2011 census. Whilst there has been a national trend in declining numbers of primary school age children the situation in the city is also more acute than both the regional and national picture. Brighton & Hove's population profile had fewer children & young people aged 0 to 19 (20.5%) compared to the South East (23.1%) and England (23.1%)
- 3.3 The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. In fulfilling this duty, the Council has to take account of the fall in pupil numbers overall across the city and the fact that they are forecast to continue to fall over the next few years.
- 3.4 The implications of excess school places for the funding of schools is stark, and inevitably has implications for the education that schools running deficits can provide, and the impact upon council services where large deficits need to be supported. Schools are funded by the Government, not the Council. The funding is largely calculated on a per-pupil basis and the vast majority of a school budget covers staffing costs. If schools do not have enough pupils attending or suffer from fluctuating numbers, this brings sustained and increasing financial pressure on schools. Falling rolls equate to reduced funding to deliver education. The reality is that the current formula for

funding by central government does not make smaller class sizes viable within the budget of a school, even if understandably they might be the preference of parents. Reduced and less flexible budgets will inevitably have an impact on the educational offer of a school. Schools, like St Peter's Community Primary and Nursery School, who are unable to operate in a financially efficient way risk entering a budget deficit. If the number of surplus places in the city is not addressed the likelihood is that an even greater number of schools competing for a declining population of primary age pupils could face significant financial issues, that will impact on their ability to sustain their school improvement journey.

- 3.5 Where schools do not take appropriate action to adjust their expenditure in line with changes in revenue, they risk incurring a deficit budget which has an implication for the school and the Council's own budget. This comes at a time when the Council is facing severe financial pressures across almost every area of council services, and unpalatable decisions are being taken by almost every council department to try to balance the Council's budget. Unless action is taken to reduce the number of unfilled places in the city it will place greater pressure on the Council's own funding. The latest figures published by the Department of Education for 2022/23 confirm that the number of deficits the Council has agreed was significantly above the national average.
- 3.6 The use of a licensed deficit permits schools to plan their budget to balance or move into surplus within a 3-5 year period. The current economic conditions faced by schools, including the funding levels set by central government are making it more difficult for schools to maintain a positive budget position. For the 2023/24 financial year there are 33 schools (out of a total of 61 maintained schools) that have licensed deficit budget arrangements. This represents 54% of all schools with the greatest pressure being in the primary phase, where 29 out of a total of 48 schools will be operating licensed deficits.
- 3.7 As reported in a recent [Schoolsweek](#) article published in January 2024, highlighting a recent [dataset released by the Department for Education](#), the proportion of primary schools in deficit is now at its highest level since the current dataset began in 2015. Other than Brighton and Hove the only other authorities with a similar proportion of schools in deficit appears to be the London Boroughs of Havering and Westminster, where more than 40 per cent of primary schools have a deficit.
- 3.8 The position in the city is more acute than the national picture. Whereas DfE figures show that nationally in 2022/23 12.3% of primary schools had a negative revenue balance (deficit), the proportion in Brighton & Hove for primary schools in deficit was 40.8%. This highlights the extent of the stress on primary school finances in the city and reinforces the need to take action on unfilled places due to the number of schools impacted at this time. The total of the licensed deficits for 2023/24 is £4.393m. This is only slightly below the net school balances at the end of the 2022/23 financial year which was a surplus of £4.540m. It is anticipated that by the end of the 2023/24 financial year there will no longer be an overall surplus balance position and

that the net position across all schools will be around the breakeven mark, however this assumes some improvement in school forecasts between now and the end of the financial year, and there is still risk that overall school balances will show a net deficit position at year-end.

- 3.9 Any assumption or reliance on the Council being able to continue to absorb deficits at the current level needs to be considered in the broad context of the Council's overall financial position. The Government's Autumn Statement 2023 and recent additional funding announcement purport to increase Local Government Spending Power by 7.5% for 2024/25. However real terms inflation being experienced by the council is closer to 8% due to increases in the costs of social care provision, most of which is externally provided, together with energy cost uplifts, increased interest rates driving up capital financing costs, and increased external contract costs. Moreover, the funding does not keep pace with significant increases in demands including, for example, significant growth in adult and children's social care, home to school transport, and homelessness. The impact of the cost of living crisis on Council incomes is further compounding funding pressures, including everything from reduced planning fees to lower commercial rent incomes, to lower than expected parking and permit income.
- 3.10 In summary as the Local Government Association (LGA) has noted, the Autumn Statement 2023 falls far short of the funding needed to meet demand and cost pressures across local government. In this Council, the conservative estimate of the growth in costs and demands in 2024/25 is approximately £48 million, an unprecedented increase of over 20% of the council's net budget. This includes the combined impact of inflation, increased demands and reduced incomes as referred to above. A budget shortfall (gap) of over £30 million is estimated for 2024/25 and this inevitably results in some very difficult choices given that the council has no unallocated provisions or risk reserves to help the position in the short term. This adds to the challenge of councils being able to develop viable, sustainable medium term financial plans and it remains to be seen how many councils will continue to be financially viable over the next 2 years without resorting to unsustainable, short-term measures including using up emergency reserves (Working Balances) or selling off public assets.
- 3.11 It is against this backdrop that the Council is having to take significant steps to address the negative impact on school finances of unfilled school places. With a continued drop in the forecast of Reception school places needed in future years, it is imperative to avoid an accumulation of financial pressures across primary phase schools and why such significant steps as the closure of St Peter's Community Primary and Nursery School have to be considered. If the Council fails to take action to reduce the number of surplus places in the city in the longer-term, school budgets will remain lower thus making more schools less viable. Schools are more likely to be

able to balance their budgets if operating with full, or close to full, forms of entry.

- 3.12 The Council monitors surplus reception places, a key measure of demand, and aims to maintain a 5-10% surplus across all city primary schools.
- 3.13 Significant surplus school places across the city will make it more difficult for some schools to attract sufficient pupils to operate to the maximum of their published admission number. During the public consultation period the Council obtained updated data to forecast pupil projections to September 2027 and revised previous forecasts for earlier years. The table below outlines the Council's forecast of demand for school places in the coming years and the expected surplus of places, not taking into account places removed in September 2025 following recent committee decisions, see 3.15 below. More details are provided in Appendix 1.

School Year	Pupil Forecast	Unfilled places
September 2024	2132	478
September 2025	1970	640
September 2026	1953	657
September 2027	1787	823

- 3.14 The Council is confident in its forecasting. In December 2022, the Council estimated that 2107 starting school places would be required in September 2024. On 7 February 2024, a total of 2120 first preference applications have been made for Brighton and Hove schools for September 2024, the forecast is 99.4% of the actual pupil number and provides assurance that the Council's pupil forecasts are a reliable source of information on which to base decisions.
- 3.15 In order to address the issue of surplus places CF&S committee took the difficult decision at their meeting of 22 January 2024 to reduce the PAN of six primary schools in the city from September 2025 thus removing 180 reception places. The proposal for the closure of both St Peter's and St Bartholomew's schools would remove an additional 60 places. Further measures to address falling rolls are likely to be required in the coming years to bring the number of primary school places in the city into line with current and projected demand. If taken forward, the proposal outlined in this report would begin to address the issue of falling rolls by removing 30 reception places; however, in isolation, this is unlikely to resolve the problem and, based on current projections, further action to address surplus reception places is highly likely.

### **St Peter's School and the Portslade planning area**

- 3.16 St Peter's Community Primary and Nursery School is a maintained community primary and nursery school located in Portslade. It has a Published Admission Number (PAN) of 30 and capacity for 210 pupils from Reception to year 6.

3.17 The table below shows the council’s forecast of demand for school places in the Portslade planning area up to September 2027. Note that this is an extract from the complete table contained at Appendix 1. No further analysis of the pupil forecasts has been undertaken during the representation period.

Date of Birth / school year	School year in Sept 2024	BN41 1	BN41 2			
<b>1 Portslade</b>		St Peters Primary Benfield Primary St Marys Primary	Brackenbury Primary St Nicolas Primary Mile Oak Primary Peter Gladwin Pri	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places
places in each school year from Sept 2024		<b>90</b>	<b>180</b>	<b>270</b>		
01 September 19 to 31 August 20	<b>R</b>	64	131	195	176	95
01 September 20 to 31 August 21	<b>2025</b>	64	136	200	180	90
01 September 21 to 31 August 22	<b>2026</b>	57	129	186	167	103
01 September 22 to 31 August 23	<b>2027</b>	51	124	175	158	113

The Portslade planning area in which the school is situated is expected to have over 90 unfilled places in the coming years. There are 65 applications from families living in the BN41 1 area (South Portslade) for reception places at Brighton and Hove schools for September 2024. This compares with a forecast figure of 64 pupils, a forecast accuracy rate of 98.9%.

3.18 There are estimated to be under 60 children living in the BN41 1 postcode requiring a school place in 2026 and 2027. There are currently 90 places available, albeit 30 places are at a church school. St Peter’s Community Primary and Nursery School admits a number of children who live in West Sussex. The Council does not have a statutory duty to provide school places for those not resident in Brighton & Hove but cannot restrict admissions to the school to only those living in Brighton & Hove.

3.19 In West Sussex County Council’s [Planning School Places](#) document it states that in the Adur area, “there are now surplus primary school places across the district. Some schools, have or are currently, consulting on reducing their PAN’s to aid with the school organisation and financial stability”. For Year R in the Lancing planning area in 2023 there was 6% capacity and 23% in the Shoreham planning area. Both planning areas are operating at 87% of their total capacity and are considered full by WSCC when at 95% of total capacity. It concludes by stating that “there is no expected pressure on needing additional primary schools for the next four years”.

3.20 The table below details the number of pupils on roll at St Peter’s Primary and Nursery School on school census day in both October 2022 and October 2023. This is the lowest number of children in Year R to Year 6 of

any primary school in Brighton & Hove. In the Autumn Term 2023 the school's official headcount in the nursery class was 21 children.

Census Date	N2	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
October 2023	21	12	13	10	12	17	9	18	112
October 2022	16	18	13	16	17	13	17	19	129

- 3.21 As at 21 February 2024, there are 53 pupils still on roll at St Peter's in Years R to Year 5. It is expected that pupils in Year 6 will continue to attend the school until its proposed closure at the end of the academic year 2023-24.
- 3.22 Whilst undoubtedly affected by the Council's proposals, the number of preferences received for the school from parents of children due to start at the school in September 2024 is substantially lower than the school's PAN and would have a significant impact on the school's budget allocation for 2025/26 should the school not increase pupil numbers before the October 2024 census date used for the purposes of determining the funding allocations. Individual parents will not be informed of the outcome of their applications until National Offer Day on 16 April 2024 and so the specific figure for first preferences cannot be published here but is provided to Members in their background papers.
- 3.23 It is recognised that by undertaking a consultation on a proposal to close the school families may have chosen to remove their children from the school, therefore artificially distorting the number of children on roll. It is considered unlikely that if the Council decides not to close the school that these families will return their children to the school for the new academic year. The Council is monitoring pupil movement closely and supporting schools as required. The Council acknowledges the impact for staff and pupils in seeing their peers and friends leaving the school prior to any final decision.
- 3.24 The school is currently forecasting that at the end of the financial year 2023/2024 its budget will be in deficit by £203,000. This represents 26% of the school's 2023/24 formula budget and early years funding allocation of £792,000. The school's budget for 2024/25 has been determined as £627,059. Should the school close, it will only be ear-marked to spend the pro-rata amount of funding April 2024 – August 2024 with the remaining funding re-distributed to other schools in the city for the period September 2024 – March 2025.
- 3.25 If the school was to remain open, the Council would be required to support the school for an uncertain period of time into the future before the deficit was cleared and this would create additional risk to the Council's own General Fund which at this time would add to the need for the Council to continue to take drastic financial action, as detailed in recent budget proposals put forward to Full Council. Further information regarding the financial implications of the closure can be found at paragraph 6 below.

- 3.26 Part of the school's accommodation is not owned by the Council but is rented under a lease which runs until 2037. There are further rent reviews scheduled for 2027 and 2032. The current annual rent is circa £42,000. Without the support of the Schools Forum, the funding to meet the annual rent, should the school remain open, would have to be made by the school from its own funding or by the Council directly.
- 3.27 Should the school close, the Council will need to meet the cost of the rent itself or consider alternative action such as the early relinquishment of the lease.
- 3.28 The school is currently judged Requires Improvement by Ofsted, is subject to Ofsted monitoring and has a Council School Improvement Strategy Board as a school requiring support and intervention. The school has a temporary leadership structure with an Executive Headteacher and Head of School. This is not a long-term leadership model with the governing body working outside of any formal collaborative structure such as a federation.
- 3.29 Based on all the factors above, with considerable regret the Council remains of the view that St Peter's is no longer financially viable.

#### **4. Process to close a school**

- 4.1 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013 ("the Regulations") set out the reasons for closing a maintained school. These include, but are not limited to, where:
- 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 to long term;
  - it is to be amalgamated with another school;
  - it has been judged inadequate by Ofsted and the Secretary of State has revoked the academy order;
  - it is no longer considered viable;
  - it is being replaced by a new school
- 4.2 When seeking to close a school the Council is required to follow the processes set out in the Department for Education statutory guidance "Opening and closing maintained schools -Statutory guidance for proposers and decision makers, January 2023" (the DfE Guidance). In particular the Guidance sets out the considerations that should be taken into account by the decision maker when deciding proposals to discontinue (close) a school. It requires that the decision maker should have due regard to all responses received during the representation period and be satisfied that the proposer has carried out the requirements of the statutory process satisfactorily.
- 4.3 On 6 November 2023 Children Family and Schools Committee decided to proceed to consultation on the proposal to close St Peter's Community Primary and Nursery School. (The November committee report is included



as Appendix 5). A consultation ran between 7 November 2023 – 20 December 2023 which gathered feedback on the proposals from parents and staff at the school and other stakeholders who might be impacted by the decision.

- 4.4 On 22 January 2024 CF&S committee considered the consultation feedback and agreed to publish Statutory Notices. The January report is included as Appendix 4. The evidence and rationale for the decision to move to the statutory notice period is set out in the January report.
- 4.5 When publishing Statutory Notices the Guidance states that “the proposer must publish the full proposal on a website along with a statement setting out:
  - how copies of the proposal may be obtained;
  - that anybody can object to, or comment on, the proposal;
  - the date that the representation period ends (4 weeks from publication); and
  - the address to which objections or comments should be submitted.”
- 4.6 A brief notice containing the website address of the full proposal must be published in a local newspaper.
- 4.7 The council published its Statutory Notice on the Council’s webpages on 23 January 2024 [here](#). It provided details of the representation period and proposals [here](#) and asked for responses to be made via the online [consultation portal](#). The Statutory Notice was also published in The Argus.
- 4.8 If responders were unable to access the information made available on the Council’s website, they were asked to contact the Council’s School Admissions Team by phone. For those who could not use the Council’s own translation facility they were asked to email the Council directly.
- 4.9 During the final 10 days of the representation period, although there is no statutory requirement to do so, in order to further publicise the proposal the Council also displayed the notices within publicly accessible buildings in the local area and further promoted to local nurseries and family hubs and social work buildings.
- 4.10 The school was provided with a letter translated into Arabic, Portuguese, Bengali and Polish to share with their school community which provided guidance and support on how to make a representation to the Council.
- 4.11 Copies of the proposal were sent to the following parties on or very soon after 23 January 2024:
  - The Members of Parliament for Hove, Brighton Pavilion and Brighton Kemptown
  - All Headteachers and Chairs of Governors in Brighton & Hove
  - Early Years providers in the city
  - CEOs of Multi Academy Trusts with Brighton & Hove Schools
  - East and West Sussex County Councils
  - All Brighton & Hove City Councillors
  - The Chichester Anglican Diocesan Board of Education

- The Catholic Diocese
- The Department for Education
- It was also shared with Community Works and some local Voluntary and Third Sector groups to share amongst their networks

4.12 Following the publication of the statutory notice, a 4 week representation period ran from 23 January 2024 until 20 February 2024 during which time interested parties were invited to make further comments on the proposal.

## 5. Responses to the Statutory Notices

5.1 All responses received are available confidentially to Members sitting on the Children, Families and Skills Committee and for Full Council for their consideration.

5.2 The responses received during the representation period via the Council's consultation portal have been grouped into the following categories:

Supportive - 3  
 Unsupportive – 122  
 Total – 125

12 responses were received within an hour of the 17:00 deadline on 20 February 2024 and have been included in this summary.

The breakdown of responders is as follows:

Brighton & Hove resident	33	27%
Parent or guardian of a child(ren) directly affected by the proposal	54	43%
Parent or guardian of a child(ren) not directly affected by the proposed changes	9	7%
Teacher in one of Brighton & Hove schools	3	2%
Not Answered	18	15%
Other	8	6%

### Religion

Agnostic	4	3%
Atheist	2	2%
Christian	14	11%
I have no particular religion	38	30%
Muslim	4	3%
Not Answered	52	42%
Prefer not to say	8	6%
Other	1	1%
Buddhist	2	2%

## Ethnic origin

Black or Black British: African	1	1%
Asian or Asian British: Bangladeshi	4	3%
Asian or Asian British: Indian	1	1%
Not Answered	51	41%
Prefer not to say	7	6%
White: Any other White background	7	6%
White: English / Welsh / Scottish / Northern Irish / British	47	38%
Mixed: Any other mixed background	3	2%
White: Irish	1	1%
Mixed: Asian & White	1	1%
Other ethnic group: Arab	2	1%

5.3 The issues raised reiterated concerns which had been raised during the previous consultation period. Comments received covered the following broad themes, which are addressed elsewhere in this report:

- Concerns that the Council was breaching government guidance, particularly in relation to travel to alternative schools and equalities issues.
- Concerns that the loss of the nursery would mean families would not have affordable or sufficiently suitable alternative nursery provision.
- Sadness that closure would deny future pupils the experience shared by many who had children or who had themselves attended the school.
- The impact on travel for families needing to attend a different school.
- Concerns for those pupils attending the school who have been experiencing the disruption and uncertainty caused by the consultation. Concerns were also expressed about the impact on pupils at a time when many are still having to manage the impact of Covid restrictions.
- Concerns that the alternative options for nursery and school places are not considered to be realistic or clearly described in previous reports, and that families seeking a West Sussex school place would not get the same treatment as those applying for a new school place in Brighton and Hove.
- Concerns about the ability of other schools to meet the needs of transferring pupils in the way that St Peter's Community Primary and Nursery School is currently able to, thus further disadvantaging these pupils, especially if they are placed in large classes of 30 or more pupils. It was felt that the closure of the school would therefore discriminate against low-income families, working mothers and families of child with SEND.
- Concern about the loss of a valuable community asset and budget decisions made by the Council which did not prioritise education funding over other council projects.
- The short-term nature of the pupil forecast compared to planned house building in the area was questioned alongside respondents highlighting the

impact on families living in West Sussex where it was felt there was not enough school places available.

- Concern was expressed that the decision to close was a foregone conclusion and there had been insufficient consideration given to the number of responses opposing the proposals during the public consultation. Some respondents were concerned that the school's closure would impact on south Portslade by taking away a reason for families to live in the area. It was felt the school's site was well positioned to cater for new school places in the plans to expand the housing stock in the area.
- It was felt that alternative options to closure should be explored, such as closing the rented part of the school, expanding the nursery, returning the school to being an infant school and creating a SEND hub. The process of consultation and decision making was considered sloppy and incompetent. Concerns were expressed that the publication of statutory notices was not communicated sufficiently to the local community and led to a sense of unfairness.
- Those respondents who supported the proposals commented that no other solutions to the problem of falling pupil numbers were apparent, that the school was not viable, that government funding did not support small classes and that the absence of small class sizes did not necessarily mean that a school would not be able to support children with SEND.

5.4 The Council acknowledges the continued level of opposition to the proposal as outlined by the responses during the representation period. This report seeks to address the concerns raised and look at how the Council can mitigate the impact of closure in the event the proposal is agreed.

## **6. Considering the financial implication of these proposals**

6.1 The financial year 2023/24 will be the second consecutive year that St Peter's has ended the financial year with an overspend. The school has not provided a viable, long term plan to bring the budget back into a balanced position. There is also a risk that with a further fall in pupil numbers across the city the capacity of the school to attract sufficient pupils by the time of the October census which determines funding will decline still further.

6.2 Calculating the future consequences, both negative and positive, of a decision requires the use of assumption. The figures relating to the future financial impact of specific decisions must therefore be treated with caution, however there are some factors which can be determined such as a school's budget position on a specific day, a final redundancy calculation and the total budget allocated to a specific activity. The financial impact of a child moving to a new school roll can only be calculated after they have been counted on the receiving school's October census figure. This is then translated into a budget allocation for the next financial year and those funding levels are yet to be determined. The additional expenditure incurred by a school of one extra pupil being admitted will be clear if for example a new class teacher is required but may not be clear if the school is able to

provide additional resources required such as curriculum materials or classroom furniture from those currently available in the school.

6.3 However it is important to demonstrate that the financial impact of a decision has been taken into consideration, no matter how broad the considerations and assumptions made. In considering and estimating the potential costs of closure the costs, the final figures will vary but can be categorised into 4 main areas:

- Potential redundancy and possible pension costs – Based on latest estimated data from Human Resources there is an estimated cost of £230,000. This represents an assumption that 75% of staff will accept an offer of redundancy which is felt to be a prudent estimate.
- Write-off of deficits at the point of closure – there is a deficit of approximately £200,000 expected at the end of the 2023/24 financial year. For the purposes of planning there is an assumption that there will be a final deficit of £250k at the end of the summer term 2024.
- Team around the school, costs to the Council of supporting displaced pupils, securing school sites after closure - Costs are not fixed but an estimate of £175,000 has been made to cover these areas.
- Potential pay protection of redeployments – There is uncertainty about the number of potential redeployments and whether protected pay arrangements will be required. A total of £40,000 is being allowed which represents 10 staff at £2,000 each for 2 years.

Total Potential Costs as summarised above total £695,000.

6.4 Against the costs estimated above, the potential financial offset if the school is closed should also feature in the analysis of whether the proposal is justified. The proposal to close St Peter's Community Primary and Nursery School will mean that pupils displaced will move to other schools in the city. The funding of the school is based on the pupils that were in attendance during the October 2023 census of pupils (used to calculate the 2024/25 budget). There were 91 pupils at St Peter's with pupil-led funding of approximately £5,000 per pupil. After closure, as pupils move to other schools in the city, there will be financial benefits to schools receiving pupils equivalent to approximately £5,000 per pupil. In total this will mean funding equating to £455,000 as an improvement to other schools. which for receiving schools where their pupil numbers are below the PAN will improve their budgetary position.

6.5 For most schools receiving pupils it is expected there will only be a very limited impact to organisational structure that should not significantly affect their cost base as pupils will be accommodated within existing surplus places. However, in recognition that there may be some situations where schools do need to increase their cost base to accommodate displaced pupils it is assumed that 50% of the additional £5000 funding per pupil will be required. Over a 5-year period, and assuming a 5% reduction in pupil numbers each year (linked to the forward projecting of falling pupil numbers) it is estimated that there will be a net benefit of £1.030m to the wider primary school system.

Total potential cost offset of closure as described above £1,030,000.

- 6.6 Overall, this would mean a net potential cost benefit of £335,000 over a 5-year period. At this stage in producing these estimates no financial benefits have been allowed for possible capital receipts for future disposal of school sites, or for wider behavioural change by schools in relation to budget management as a consequence of the Council's current proposals to close two one form entry primary schools with significant deficit budget positions.

## 7. Capacity to accommodate displaced pupils

- 7.1 The DfE Guidance states that "*The decision maker should take into account the overall quality of alternative places in the local area, balanced with the need to reduce excessive surplus capacity in the system*". The Council is confident that there is sufficient capacity to accommodate displaced pupils if the school is to close, even when taking into account sibling links of children in either the nursery or primary school classes. While school places potentially fluctuate daily, the availability of school places on 21 February 2024 is as follows in the table below (it is anticipated that all pupils currently in year 6 will remain at the school for the remainder of this academic year so that data is not provided but is available).

School (distance from St Peter's in metres)	Current Year group						
	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
St Peter's – Current pupil numbers	12	9	7	9	13	3	
St Mary's (545m)	3	0	2	0	0	0	
Benfield (1246m)	5	3	3	3	16	6	
Brackenbury (1062m)	1	0	5	13	7	1	
St Nicolas (1109m)	1	0	5	0	5	0	
Peter Gladwin (1723m)	0	1	6	3	3	3	
West Hove Infants – Portland Rd (2357m)	0	3	9	6	13	3	
Hangleton (2799m)	7	2	5	8	8	19	

Mile Oak (2886m)	3	17	4	15	7	20	
Eastbrook (1931m)	7	0	0	0	0	0	
The Glebe (3058m)	8	16	21	13	0	0	
Holmbush (3862m)	4	0	1	7	0	17	
St Peter's (Shoreham) (3862m)	5	5	0	0	0	7	
St Nicolas & St Mary's (4023m)	0	13	4	4	4	0	
Swiss Gardens (4667m)	14	22	1	0	3	4	
Shoreham Beach (5150m)	0	0	2	0	0	4	
Buckingham Park (5472m)	31	14	15	12	8	13	

### **Transition**

- 7.2 Since the decision was taken to publish a Statutory Notice, consideration has been given to ensuring that, should the proposals be agreed by Full Council, pupils at St Peter's Community Primary and Nursery School are supported to move to another school with maximum support from Council services so that any disruption is minimised.
- 7.3 The Council recognises that there will be an impact on all pupils who are required to move schools and is seeking to work with staff at the school and any receiving school to minimise the negative impact of the change. The Council is enhancing its resources in its Inclusion Support Service, SEN services and Standards and Achievement team to do so. In addition, the Ethnic Minority Achievement Service, who support children and families where English is not their first language, and the Schools Mental Health Service have also received additional funding to meet the needs that occurs from the move of pupils, should the school close. This latter service will have a member of staff committed to half a day per week for this work.
- 7.4 The Council has established a Transition Board, chaired by the Assistant Director, Education & Skills with oversight from the Co-Chairs of the CF&S committee to monitor and oversee the arrangements. This Transition Board will work closely with the teams mentioned above, school staff, and staff at receiving schools to ensure the transition of pupils is managed in a 'child-centred', caring and considered way. Head teachers attend the Board. The term of reference are provided as Appendix 3

- 7.5 The Board's membership includes the schools themselves, a parent/carer representative from PACC (who also liaise with counterparts in West Sussex), and a range of specialists covering Standards & Achievement, SEN, Educational Psychology, Admissions, Ethnic Minority achievement Service, Access to Education, Anti Racist expertise and the Virtual School. The Board includes expertise on trauma-informed practice.
- 7.6 The Transition Board held a recent meeting focusing on SEN (see Pupils with Special Educational Needs section below). Future meetings will look at anti-racist practice; at children who may have multiple vulnerabilities including a diagnosis or who are known to social care; and how the Council allocates resource fairly and transparently.
- 7.7 Links with West Sussex are being established between each service. For nursery aged children, based on current information it is expected that all the current nursery children except two (and any new starters) will be starting school in September 2024. If the families of the two children still of nursery age would like support to find new provision, the Council will work with their school to access places, whether in Brighton & Hove or in their authority of West Sussex. For school admissions, West Sussex officers are being invited to attend drop-in sessions at St Peters for parents, so that parents are in a better position to understand the process.
- 7.8 The newly released results of the January 2024 School Census are now available. This comprehensive data is being used to populate a Vulnerability Index for all pupils at the school. Combined with data from other sources, this will build detailed profiles of the children in most need, based on information from those closest to them. This will include information on pupil's needs and strategies and interventions that work to support individual children in their learning. These profiles will enable resources to be targeted accurately and fairly in a proactive way.
- 7.9 The Transition Board is setting up a 'Team around the School', which will bring together a professional network around the needs and strengths of each child identified by the Vulnerability Index as a priority. Working with the Headteachers, SENCOs and staff who know the pupils well, support plans will be created to identify and plan the successful transition to a new school. This will support early intervention and will also ensures that receiving schools have a full and up to date picture of strengths and needs.
- 7.10 To ensure families were fully informed about the school application process, subject to a final decision by Full Council, information was sent to the school to circulate to families on 1 February 2024 and all primary schools in the city were notified of this process on 2 February 2024.
- 7.11 Subject to final decision by Full Council, parents who have not applied by the end of the Spring term for a new school place, will be contacted by the School Admissions Team and asked to submit preferences for new school places by 28 March 2024. New places will be allocated to these pupils by 15 April 2024 and these places will be available to take up until September 2024, meaning that families who wish for their children to complete the



academic year at St Peter's Community Primary and Nursery School can do so.

- 7.12 All schools in the city will be reminded of their role to support the children who need to move school and to ensure that they use the additional funding that would have been made available to St Peter's Community Primary and Nursery School between September 2024 – March 2025 to support them in their new setting.
- 7.13 As the admission authority for community schools, the Council will consider any circumstances where a child's medical or social need means their needs can only be met at a specific school, when parents make applications for other schools.
- 7.14 Information on pupils' needs and strategies and interventions that work to support pupils in their learning will be made available to receiving schools and staff will be encouraged to discuss individual pupils as part of the transition process. Evidence collated by St Peter's will remain valid and can be used as supporting information for an Education, Health and Care Needs Assessment. The process of assessment will lead to a conclusion as to how best to meet the child's needs and whether there is a need to identify a child's primary area of difficulty and the type of school best suited to meet that need.
- 7.15 Work is also underway to look at the costs families might incur from any proposed closure. The Council is looking to work closely with the receiving schools to ensure funding for uniforms are provided for those who need this.

### **Size of alternative schools**

- 7.16 The Council has heard many families comment on the benefits of St Peter's Community Primary and Nursery School small class sizes. It will not be possible to replicate the small class size experience in other schools and this is a contributory factor to schools currently facing financial pressures. The vast majority of school funding is based on pupil numbers and therefore schools operating with small class sizes are less likely to be financially viable, particularly smaller schools where economies of scale that may exist in larger schools, do not apply. Notwithstanding the small class sizes St Peter's Community Primary and Nursery School has been evaluated by Ofsted as requiring improvement.

## **8. Nursery Provision**

- 8.1 On 21 February 2024 there were 27 children attending the nursery provision at St Peter's. During the representation period the Council has continued to hear about the high regard in which the school's nursery class is held by parents and the community.
- 8.2 All children who started at the nursery before January 2023 will be able to finish their nursery education at St Peter's and then start Reception at alternative schools in September 2024. The school has had new children

join the nursery class in January 2024. These children will be required to find alternative nursery provision should the school close. Families can contact the Council's Early Years team to receive support in that process. It is important to note that whilst the nursery class has retained high numbers of children, a significant number of parents do not choose for their children to attend St Peter's in Year R; there is no automatic transfer from the nursery to the school.

- 8.3 The Council is responsible for ensuring sufficient early years provision in its local area although it is not required to maintain the identical offer of provision should a nursery close. In the report to the CF&S committee in January 2024 details of Brighton and Hove early years provision within two miles of St Peter's Community Primary and Nursery School was provided. As previously reported, the Council is also exploring whether other nursery provision can be developed in the area, while taking into consideration overall sufficiency in the city as set out below.
- 8.4 The Council's 2023 Childcare Sufficiency Assessment did not find a shortage of early years provision across the city as a whole. Between December 2019 and August 2023 the number of early years places on the Ofsted register in Brighton and Hove increased by 4% compared with a 1.5% increase in England as a whole. Where nurseries in the city have closed they may be replaced by a new provider on the same site, for example at South Portslade Community Centre where a new nursery opened in January 2024. The Centre is 0.2 miles from St Peter's school.
- 8.5 The Council's Family Hubs team will support parents to find alternative early years provision. Parents can be reassured that all early years providers offering the early years free entitlements must be registered on the Ofsted early years register and follow the early years foundation stage statutory framework which includes learning and development requirements and welfare requirements, specifying staff:child ratios and staff qualifications. They are also required to comply with the council's EYFE funding agreement. Noting that with recent government announcements, changes in early years funding and the indication of greater priority under a new government the sector faces a number of uncertainties at this time.
- 8.6 From April 2024 the early years free entitlement starts to be rolled out to younger children, with a significant expansion (30 hours a week from the age of nine months) from September 2025. The DfE's local authority readiness data states that "in Brighton and Hove we estimate that 0 places will need to be created by September 2025". The DfE have stated that they will further refine local data which may change that conclusion, but this has not yet been provided.
- 8.7 Where parents require additional early years provision in addition to their EYFE they may be eligible for help with childcare costs through tax free childcare/childcare element of universal credit.

## **9. Pupils with Special Educational Needs**

- 9.1 In St Peters there are 8 pupils with an Education Health and Care Plan (EHC Plan); 2 of these pupils are currently in Year 6. 4 of these pupils live in Brighton and Hove. One child with an EHCP has already left for a West Sussex school. 24 pupils are recorded as having SEN support. There is one child where an Education, Health and Care needs assessment is in process.
- 9.2 Through the public consultation and representation period, concerns have been expressed about how other schools will be able to meet the needs of those pupils at St Peter's who have special educational needs, how those pupils will cope with a transition to another school, and whether any receiving school would put in place appropriate interventions to support these pupils.
- 9.3 In terms of considering transition support priority is being given to children with complex needs or multiple vulnerabilities, or where there are siblings to take into account. To smooth the transition, the SEN service will look for ways to retain existing school relationships where possible. and will seek to include SENCO's from receiving schools in Annual Reviews (including West Sussex SEN staff).
- 9.4 The Council has put in place dedicated support from a senior SEN Casework Officer and Team Manager to oversee the transfer of pupils at the school who are known to the Council's SEN service. The Principal Educational Psychologist has been in contact with the Headteacher to discuss how the Brighton and Hove Inclusion Support Service (BHISS) can support the transition process should the decision be made to close the school.
- 9.5 In the Autumn term 2023 a Senior Casework Officer attended a parent/carer coffee mornings at the school to listen to concerns and to explain the process of changing a school for pupils with EHC plans.
- 9.6 Since the start of January 2024, the SEN service has been in regular contact with the school's SENCo about children with EHC plans and arranged/attended meetings at the school to discuss these children and any other pupils who might need an EHC needs assessment.
- 9.7 The SEN service has offered support to the school and the SENCo with the following:
- Attending the children's Annual Reviews at the schools
  - Reviewing their current in school provision to ensure that resources will be in place to ensure a smooth transition
  - Offering to meet with parents of the children with EHC Plans to ensure that the team understand any emerging preferences and deal with any queries
  - Discuss any pupils currently on the SEN register and consider whether an EHC needs assessment may be appropriate.
  - Offering to meet or telephone each parent with a child with an EHC plan individually to discuss their preferences and options. The school SENCo has

confirmed that they wish to take the lead on this contact with families as they know them best.

- 9.8 As part of the meetings between the SEN Casework Manager and the school, information has been gathered using a child centred approach regarding supporting children to stay in friendship groups or to ensure siblings are placed together and knowledge of dynamics in classes which have to be considered. This has included discussing possible appropriate placements for pupils who have complex needs and the consideration of potential specialist placements for September 2024.
- 9.9 Children with Education, Health and Care Plans may require an Annual Review and the SEN Service will work to support the school and the families to facilitate this in the Spring or Summer Term 2024. For children who have had Annual Reviews in the last 6 months the Head of SEN has confirmed that there will not be a need for another full Annual Review meeting but there will need to be a meeting to discuss preferences and transition as soon as possible. The SEN team understand that there are currently 2 annual reviews that will need to be undertaken. It is anticipated that the needs of the majority of pupils can be met in other mainstream schools with appropriate support. If it is identified during the review process that specialist provision might be more suitable this will be followed up through the usual processes by the SEN team. One pupil has an agreed placement at special school for Sept 2024. In addition, the Council's SEN team will work with West Sussex County Council to attend two further Annual Reviews for West Sussex children if needed.
- 9.10 Pupils who are currently undergoing statutory assessment will see no disruption to the process as a result of the proposal to close the school. All evidence that has been collated for pupils attending the school in advance of a formal request for statutory assessment will be made available to a receiving school and will be taken into consideration when considering what the appropriate next steps might be to meet a pupil's needs.
- 9.11 There had been suggestions that the Council might need to find more specialist placements or provide additional funding to that which is currently available to pupils at St Peter's, and that therefore it would cost the Council more should the school close. However, the Council is confident that the needs of all pupils can be met within other settings, subject to the updated information obtained during the annual review process.
- 9.12 The SEN Service has identified the other local school options according to each pupil's address for those with EHC plans and are aware of the spaces so that when parents have made a preference the team will be in a position to guide them as to next steps.

## **10. Impact on the community**

- 10.1 The impact of the proposals on the community are acknowledged. Responses to the consultation and representation period have described the sadness in the community at the possibility of such a long-established

school closing. The process has been challenging for the whole school community including the governing body, staff, families and pupils. The council has therefore sought to foster a proactive and collaborative approach with all those involved during the engagement events and stages, which has included support to all groups to mitigate the impact of these proposals. This offer of support will be ongoing should the proposals be agreed by Full Council.

- 10.2 In response to the publication of the Statutory Notice, concerns were expressed that the impact on the area would be significant and might take away a reason for families to live in the area. Particular comments were made regarding the loss of affordable alternative nursery provision that supported working parents, the impact on travel for families needing to attend a school away from south Portslade and the loss of a valuable community asset in the school's building.
- 10.3 There are no active plans for the Council to adapt the building that would become vacant should the school close. It is expected that the site will remain as it is now preserving the building as a good quality example of an Edwardian state infant school with Arts and Crafts influences, in addition to the air raid shelters underneath.
- 10.4 It has been recognised that the school's community stretches beyond south Portslade, when consideration is given to the pupils served by the school. As it is not possible for complete classes from the school to move into the same new school, even if parents expressed such a wish, the Council has closely considered how pupils and families could be supported in that transition in order that the sense of community can be preserved so far as possible. It is expected that this will happen through the scheduling of opportunities for pupils and families to come together through and beyond the transition phase, and the support of the Council's Schools Mental Health Service will be available. Children in year 6 will not be impacted in so far as they will be moving to a secondary school in any event.

## **11. Staffing**

- 11.1 Should the school close, staff's jobs will be at risk. The Council has started a 41 day consultation with staff as their jobs will be at risk of redundancy should the school close. This consultation period started on 5 February 2024 and will run until 25 March 2024. If a decision is taken not to proceed with the closure of the school the consultation process will cease immediately. It has been made clear that the decision to start the consultation does not pre-empt the decision of the Full Council.
- 11.2 It was considered appropriate to start the consultation period before a final decision had been taken to ensure all staff had the benefit from being added to the Council's redeployment pool at the earliest opportunity. It is hoped that compulsory redundancies can be avoided wherever possible. The Leader of the Council and Co-Chairs of the CF&S committee wrote to all primary phase Headteachers and Chairs of Governors on 24 January 2024 stressing the importance for the sector, and the city more generally, of trying to retain

staff at both St Bartholomew's and St Peter's schools within the local education system. This has included asking that where other schools hold vacancies that they consider including them in a redeployment pool, whilst being acutely aware of the broader position on school funding and in the context of many schools looking to make savings on their own budgets.

- 11.3 This message was also shared with colleagues in the secondary sector on 11 February 2024, as it is possible that staff at the school have transferable skills that will suit roles in secondary schools.
- 11.4 The Council recognises that despite the correspondence from the Leader of the Council and Co-Chairs of the CF&S Committee, this is a decision for individual governing boards and whilst the Council would like to see all schools consider redeployment before recruitment this is not a decision that the Council can impose on schools. As of 19 February 2024, there were 6 primary school teaching jobs being advertised by schools and 21 support staff roles. Additionally, there are 47 posts in the Council's redeployment pool as staff will also have access to those.
- 11.5 Whilst the Council is hoping to retain the knowledge and experience of staff working at St Peter's Community Primary and Nursery School should the school close it is however recognised that as pupil numbers continue to fall across the city schools are having to reduce the number of staff employed.
- 11.6 The school has put forward proposals to remain open as a smaller school (see section 14 below). This would mean the retention of most staff. However, the high-level budget proposals put forward did not include any calculation of the cost of the redundancy of some staff members who would no longer form part of the smaller teaching staff who would be required, albeit circumstances have subsequently changed. This financial responsibility would fall to the school. This would have a bearing on the school's ability to ensure its expenditure was less than its income in the initial period whilst the school adjusted to a smaller teaching staff.
- 11.7 Staff who are made redundant will receive their relevant entitlements depending on the role in which they hold at the school and their continuous service.

## **12. Accommodation**

- 12.1 As indicated above the Council does not yet have any active plans for the future use of the school site should the school close. Any alternative uses of the site will be subject to consultation, where the impact on the community will need to be assessed as part of any future decision-making process. The Council is committed to maintaining educational provision from the site, and maintaining the integrity of the building, ensuring the community resource, whose history is much valued, remains, so that its contribution to the area is not forgotten.
- 12.2 As stated further up the report, part of the school's accommodation is not owned by the Council but is rented under a lease which runs until 2037.

Should the school close, the Council will be required to meet the costs of the rental agreement until a future purpose and funding source has been identified.

- 12.3 The school is in the proximity of Shoreham Harbour which is identified as a development area in the Council's City Plan. Over a period of 15 years (2022-2037) a total of 379 dwellings have been identified in the part of the development area which falls within Brighton and Hove; the majority of the development is in West Sussex. Of the remaining 350 dwellings still to be built as part of this development the Council has calculated that 37 primary aged pupils are expected to require places up to its scheduled completion of 2037. This would be less than one pupil per school year group per year. Even taking account of dwellings scheduled to be built outside of major development areas, in the Portslade area, it is likely that the number of children requiring places will not be statistically significant to affect the forecast of pupil numbers in future years.
- 12.4 The West Sussex County Council Planning School Places document states that the Shoreham Harbour Regeneration development will have a minimum of 970 dwellings within Adur. The development was anticipated to bring forward the need for a one form entry (210 place) primary school to be sited within the development or, if this is not possible, within a reasonable distance from the development. The document states that "With the current downturn in primary pupil numbers in the planning area, it is not currently planned to provide additional accommodation at any of the existing primary schools serving the area, or to actively seek a school site for an additional primary school."

### **13. Travel**

- 13.1 Throughout the process the Council has been mindful of the provisions contained in the DfE Guidance which relate to the travel implications of the proposal. In particular the Guidance states that:
- Decision makers should be satisfied that the proposal will not adversely impact any particular group, including those with protected characteristics or who are disadvantaged (for example, those who are eligible for free school meals or pupil premium).
  - The decision maker will need to consider the local context, for example in areas with excessive surplus places, the decision maker should consider whether the travel implications of the proposal are reasonable compared to those for alternative options for reducing excessive surplus capacity.
  - Decision makers should also consider how the proposal will support the local authority's duty to promote the use of sustainable travel and transport to school.
  - When closing a school, decision makers should consider whether the proposal will result in unreasonably long journey times or increased travel costs for local authorities or families, as well as any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase.

13.2 Throughout the consultation concerns have been expressed by families about their ability to get their children to different schools because of work commitments, the reliability and accessibility of public transport and the safety of walking routes to other schools in the Portslade area. Concerns have been expressed by families with young children, and the practicalities of transporting them to and from a new school site when accompanying their school aged sibling.

13.3 In order to consider the impact of the proposal for closure the council has analysed the distances involved of alternative options available to the current families attending the school, taken from the addresses of those families.

13.4 The following table provides information regarding the distance to alternative schools from all postcodes where current pupils on roll at the school live. The number of pupils in each postcode is included in brackets. Where there is more than one child living in a particular postcode the distance shown is the average distance of all pupil journeys from that postcode to the school. The distances are measured in metres and have been measured using the shortest available walking route and not as the crow flies. The first line in the table provides the current distance from where existing pupils live to St Peter's school, which varies considerably with the shortest distance being an average of 553 metres and the longest distance being 16990 metres.

School	BN10 8 (1)	BN14 7 (1)	BN15 9 (3)	BN3 4 (6)	BN3 5 (1)	BN41 1 (40)	BN41 2 (6)	BN42 4 (6)	BN43 5 (2)	BN43 6 (1)	BN6 9 (2)
St Peter's Community Primary School	16990	12571	9099	2512	3150	553	2241	1328	7511	3156	14434
Benfield Primary School	17168	13402	9378	2518	2212	1012	1670	2028	8342	3100	13306
Brackenbury Primary School	17737	13008	8893	2976	2861	968	1213	1757	7948	2615	13948
Buckingham Park Primary School	21572	9212	5746	6900	6908	4699	4515	3609	4152	2104	17906
Eastbrook Primary Academy	18409	11959	8227	3727	3947	1403	2134	1191	6899	1922	15171
Hangleton Primary School	17128	14882	10762	3417	2214	2567	2119	3603	9822	4485	12180
Holmbush Primary Academy	20205	11585	7280	5446	5344	3217	2695	2364	6525	1162	16103
Mile Oak Primary School	19613	13788	9669	4781	4586	2712	986	3153	8728	3391	14581
Peter Gladwin Primary School	18398	13055	8936	3591	3514	1629	655	2306	7995	2658	13700
Shoreham Beach Primary School	23913	8808	5369	9438	9875	7195	7917	6107	992	5584	21159



St Mary's RC Primary School	17125	12694	9093	2507	2654	501	1858	1394	7634	3124	13938
St Nicolas' CE Primary School	17711	13055	8940	3008	2822	1005	1159	1804	7995	2662	13810
St Nicolas & St Mary CE Primary School	21045	9597	6074	6376	6388	4175	3994	3083	4537	1583	17385
St Peters Catholic Primary School	20628	9625	6187	6137	6570	3884	4310	2728	4565	1826	17701
Swiss Gardens Primary School	21634	8503	5065	7145	7595	4915	5287	3828	3443	2877	18678
The Glebe	19145	11150	7568	4622	5031	2375	2641	1260	6090	1098	16032
West Hove Infant School - Portland Road	15614	14521	10876	2569	870	2139	3389	3220	9461	4820	13254

- 13.5 The majority of families (a total of 40) attending the school live in the BN41 1 postcode (South Portslade). Six children live in each of BN41 2 (North Portslade), BN42 4 (Southwick in West Sussex) and BN3 4 (West Hove). The analysis demonstrates that the vast majority of families will be able to state a preference for a school well within a 2-mile walking route of their home addresses. The analysis also demonstrates that some families already live outside of a two mile radius of St Peter's and other schools are closer to them.
- 13.6 The Council's Home to School transport policy reflects the legislation and sets out that the council has a duty to provide assistance with transport for children of compulsory school age between home and school if the child is under the age of 8 and lives more than two miles (3.2km) from their nearest suitable school; or the child is aged between 8 and 16 years and lives more than three miles (4.8km) from their nearest suitable school. The 'nearest suitable school' in relation to primary education is considered to be the closest maintained school to the child's permanent home address that is suitable to age, educational needs and has a place available. Families may therefore be eligible for transport assistance from the Council, because of their circumstances, when a new school place is known. Factors that may be taken into account in deciding eligibility for assistance include having to take other primary age or younger children to a different school or pre-school, fixed employment patterns and the medical condition or disability of a parent or carer which means they cannot accompany their child to school.
- 13.7 In accordance with the Council's Home to School transport policy and the Department for Education's statutory guidance, the starting point for assessment of eligibility for assistance with travel is that as far as possible parents should accompany their children to school or that children should make their own way to school. For children with SEN, a disability or mobility problems this may mean that some additional support is provided.
- 13.8 The Council will work with schools who receive pupils from St Peter's Community Primary and Nursery School to develop their school travel plans to seek to mitigate against increased car use.

## **14. Equalities**

- 14.1 When contemplating school closure, the Council must have 'due regard' to the duties set out in section 149 of the Equalities Act 2010 (the Public Sector Equality Duty). This requires the Council to consider how any decision to close might affect people who are protected under the Equality Act. Decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.
- 14.2 This report is accompanied by an Equalities Impact Assessment (Appendix 2) which has been undertaken as part of the statutory process to identify any equality implications of the proposal and to address any concerns through appropriate mitigations if a decision is made to close the school. This EIA has been particularly informed by the responses to the consultation and representation periods.
- 14.3 Through the consultation and representation period, concerns were expressed by the school and from other responders about the ability for all members of the community to engage in the process and whether the consultation was sufficiently accessible. Additional support for families where English was not the first language and for those whose children have special educational needs were put in place by the school and Council, including translated materials and specific meetings for those families to share their experiences and raise concerns about the proposals.
- 14.4 For the subsequent notice representation period, communications in multiple languages were shared with the school towards the start of that process to enable families to engage with providing a representation response.
- 14.5 Staff from the Ethnic Minority Achievement Service (EMAS) have supported families they have worked with throughout the public consultation period to understand the proposals and have facilitated them in responding to the Council. The service has directly supported a range of families covering a number of languages, to help them understand and to respond to the consultation during meetings and in writing. They also supported two Black African parents who are English speakers to register their children, at a different school, for reception in September.
- 14.6 During the representation period EMAS staff have continued to liaise with EAL parents to ensure they understand what was happening in the representation period and what their options are if they wish to respond. EMAS staff have also continued to support parental understanding and access to early reviews of EHCPs. EMAS staff have shared information around admissions choices parents can make about transferring to a different school and what would happen if the Council made the decision not to close the school.

- 14.7 The Brighton and Hove Parent and Carer Council have also been available for families to support them as part of the process and liaised with colleagues in West Sussex to support families who live there. In addition, a specific meeting was held at the school for those families for whom English is not their first language, families from Black or Racially Minoritised groups and for those whose children have special educational needs in order that any particular concerns which they might have had could be listened to and addressed.
- 14.8 In both the public consultation phase and the representation period, the Council promoted to families the offer of interpreting and translation services. No families requested that support however, as described above, some translated text was made available to the school to support EAL families to make a response to the statutory notices. An offer was also made through both periods for a transcribing service to be available to enable anyone who didn't wish to make a written submission to provide a response. There were no requests made via that route.
- 14.9 Closing St Peter's Community Primary and Nursery School will remove the option of a school place in the south Portslade area at a school that is appreciated for how it supports families and children irrespective of their disabilities, race and life experiences.
- 14.10 It is recognised that any alternative school place will not be in a school of a similar size and is unlikely to have the small class sizes that the school has had in recent years and which have been valued by families with children at the school. However, these factors have contributed to the school's financial position and if similar circumstances, such as small class sizes, were replicated it would place those other schools at risk of not being financially viable. Small class sizes have also not acted as a barrier to the school being assessed as requiring improvement.
- 14.11 Whilst the Council acknowledges all the factors outlined in the paragraphs above the Council hopes that by proposing the closure of St Peter's Community Primary and Nursery School it will ensure other schools in the city are supported to remain resilient in the short and medium term. Other schools will then be better placed to ensure that pupils transferring to new schools remain well supported.
- 14.12 Alternative schools within walking distance of the families the school serves are ready and available to welcome pupils and their families into a new school community. The work of the Transition Board will be important in this regard and the Council expresses the hope that in the event the school is to be closed St Peter's management and staff will continue to demonstrate their commitment to the welfare of their families by actively supporting the transition of pupils, reassuring families about the future transition, and working in partnership with new schools to have a full and detailed understanding of the needs of the pupils.

## **15. Analysis and consideration of alternative options**

15.1 During the public consultation period, the school put forward a number of alternative options to the Council's proposal to close the school. They suggested reducing the school's PAN and combining classes, keeping just the nursery and expanding it into a Family Hub, and retaining but co-locating it on the current site with a SEN special facility. The school were clear that their preferred option was to maintain the school and nursery by reducing the PAN at the school.

15.2 The Council could propose not to close St Peter's Community Primary and Nursery School or further explore the suggestions put forward by the school for alternative delivery models. These options are considered further below.

### **15.3 Option 1 – no action**

15.3.1 The Council has an overall duty to manage school places effectively and to ensure that schools continue to provide high quality education for children in the city. If no action is taken it is inevitable that quality of education and outcomes for children in the city are at risk and the Council will be liable for the costs of schools worst affected by falling rolls as they move into debt or increase their deficit and eventually close for financial reasons.

15.3.2 The statutory consultation requirements in the closure process have meant that the school staff, families and community have faced a significant amount of uncertainty since November 2023. This has resulted in some families taking up opportunities of school places elsewhere and the pupil roll falling still further.

15.3.3 The operational and financial challenges affecting schools with falling rolls will continue to increase with a negative impact on pupils and the Council's financial position. Taking no action to the issues affecting schools with falling rolls is not an acceptable option available to the Council.

### **15.4 Option 2 - Explore options put forward by the school**

15.4.1 As part of the consultation process the school put forward three alternative options:

- 1) Reduction in PAN to 15 and operate with mixed age group classes in all other year groups with a maximum of 105 on roll:

Nursery (max 50 places)  
Reception (max 15 places)  
Year 1/2 (max 30 places)  
Year 3/4 (max 30 places)  
Year 5/6 (max 30 places)

- 15.4.2 In the view of the school this class structure would enable the school to have a projected operating budget that would begin to significantly reduce the deficit by year 3.
- 15.4.3 The Council does not believe this to be a viable option. It considers that the risks of operating with a PAN of 15 are too high, that there are no economies of scale and very little flexibility. Whilst the Council recognises that other, particularly rural, schools in other parts of the country might operate with a PAN of 15 model, this is not a model that is considered to be financially sustainable within the city.
- 15.4.4 The school submitted a budget plan which was based on their proposed alternative model of a reduced PAN. The plan was predicated on the basis that the school would admit up to its reduced PAN of 15 pupils each year. The total number of preferences received for the school from parents of children due to start at the school in September 2024 is lower than the school's suggested revised PAN. The Council is therefore of the view that although a revised PAN would begin to contribute to a reduction in the school's overall deficit the reality is that the school achieving filling up to a PAN of 15 each year is unlikely and will become more challenging in future years as pupil numbers in the city drop further.
- 15.4.5 The budget proposals proposed a reduction in teaching staff and the purchasing of fewer support services. The proposals did not include any calculation of the cost of the redundancy of some staff members who would no longer form part of the smaller teaching staff who would be required. This financial responsibility would fall to the school. This would have a bearing on the school's ability to ensure its expenditure was less than its income in the initial period whilst the school adjusted to a smaller teaching staff.
- 15.4.6 The Schools Forum currently support the collective approach to meeting the costs of the rental agreement for the additional accommodation, however this agreement ends in July 2024. The on-going hire of part of this part of school premises would need to be funded, or alterations made to the site which allowed that additional rented area to be vacated and a release from the lease negotiated to end the current arrangement.
- 15.4.7 Furthermore, the proposals by the school need to be considered against the offer of education this may produce. The school was graded as "Requires Improvement" in their most recent Ofsted inspection in March 2022. The Council would be concerned about a smaller schools' ability to continue on the improvement journey as needed. In particular the Council has reservations as to how a revised organisational structure would impact on the quality of education the school provides.
- 15.4.8 The low numbers of pupils now attending the school and the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional financial support from the Council, in a context of constrained council resources to deliver council services to all communities in the city.

2) Keep the Nursery and expand into a Family Hub / Early Years Hub for Portslade

15.4.9 Proposals to extend the nursery to include younger age children and create an Early Years Hub for Portslade could only take place with the school continuing as the principal entity. As this does not form part of the Council's proposal the option of altering the provision in the manner suggested by the school is not achievable.

15.4.10 There are currently four main Family Hub networks in the city which have been developed in existing children's centres as part of a Government transformation programme. This includes Hangleton Family Hub in Harmsworth Crescent, Hangleton which is 2 miles from the school. There is also a spoke site Family Hub in North Portslade (i.e. the Family Hub is co-located with other services and signposts families to services within the same building but is equally integrated with services provided at other delivery sites) which is 1.6 miles from the school. Additionally, there is a West Sussex Family Hub in Shoreham, again just over 2 miles from the school. Family Hubs currently provide 5 nurseries including Acorn at North Portslade Family Hub.

3) Keep the nursery and develop a Specialist Provision Facility

15.4.11 When the Council looks to expand specialist provision onto the sites of schools in the city, there are two key requirements which St Peter's Community Primary and Nursery School does not meet. Firstly, the Council will only site specialist provision within schools which have at least a Good Ofsted grading. Secondly the school must be financially stable and be able to demonstrate ongoing financial stability in future years. Adding a specialist facility would not provide the school with the financial stability which it requires and would require a strong school infrastructure in order to provide it. For those reasons the Council does not consider this to be a viable option. Furthermore, it is not expected that a specialist provision is a stand-alone provision and therefore could not be established at St Peter's Community Primary and Nursery School if the decision is taken to close the school.

15.4.12 For the reasons set out above the Council does not believe that any of the proposals put forward by the school provide sufficient compelling information for the Council to consider them as viable alternatives to address the viability of the school in the short or longer term.

## **16. Community engagement and consultation**

16.1 The Council undertook a public consultation exercise between 7 November and 22 December 2023. A total of 5 public meetings held in-person or online took place and were attended by a total of approximately 150 people. Many people attended more than one meeting.

16.2 The online consultation response form received 313 responses and 15 email replies were received directly to the council's school organisation or school admissions inbox.

- 16.3 On 22 January 2024 the CF&S committee agreed to publish Statutory Notices. A four week representation period then ran between 23 January 2024 and 20 February 2024 and sought comments from interested parties.
- 16.4 The Statutory Notices were widely shared, along with communications from the Council on their website and social media channels. That provision is designed to support those for whom English is not their first language and who may need additional help to make a representation. The statutory notice was provided directly to West Sussex County Council, both Diocesan Authorities, and local nurseries were informed.
- 16.5 A total of 125 responses were received in response to the publication of Statutory Notices via the Council's consultation portal and broadly 98% commented negatively about did not support the proposal. A small number of direct submissions were also received. The themes of the responses have been captured in this report and the equalities impact assessment has been reviewed to ensure that it reflects any issues raised which require it to be updated.
- 16.6 It will be apparent that this report is published within three days of the end of the representation period closing. By way of reassurance this is because officers have worked to absorb and consider representations as they came in and worked additional hours following the closure of the representation period to ensure that all representations were considered before the drafting of the report was completed. Councillors are being provided with all the representations made in an unedited format on a confidential basis with their background papers.
- 16.7 It is intended that should the CF&S Committee and Full Council agree the school's closure that direct opportunities are provided to families to meet officers and discuss issues such as transport, uniform, school admissions.
- 16.8 In response to concerns raised during both the public consultation period and the representations, should the school close, further efforts will be made by the Council to work with the school and the families to work together on the transition support and to further develop understanding of the changing needs of the communities impacted by the school closure.

## **17. Conclusions and summary**

- 17.1 The Council has undertaken a public consultation and issued a Statutory Notice on proposals to close St Peter's Community Primary School and Nursery on 31 August 2024.
- 17.2 During the initial public consultation, a total of 313 responses were received via the consultation portal and there were 15 email direct responses to the Council's school organisation or school admission email accounts about the proposals. The representation period following the publication of statutory notices generated 125 representations via the Council's consultation portal and a small number of direct submissions.

- 17.3 The Council recognises the impact the proposal has upon the children, families and dedicated staff at the school, and that the ethos of the school has produced enormous loyalty and pride in the families it currently serves. It is with great regret that this proposal has become necessary to combat circumstances of reducing pupil numbers against a backdrop of constrained and pressurised resources for the funding not of just of schools, but of all council services across all communities in our city.
- 17.4 The school is anticipating ending this financial year with a £203,000 deficit and will be delegated a budget of £627,059 for 2024/25. 2023/24 will be the second consecutive year that St Peter's has ended the financial year with an overspend, with no long term plan to bring the budget back into a balanced position.
- 17.5 The low numbers of pupils attending the school and, in the view of the Council, the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional financial support from the Council at a time of constrained funding of the Council as a whole.
- 17.6 In the school's formal response to the consultation process the proposals put forward to assist the school to remain open were about mitigating the low pupil numbers, through reducing the PAN, retaining just the nursery provision or relocating specialist provision on the school site. Proposals did not consider how the school would seek to improve levels of parental preference. The Council's view is that a medium to long term strategy to maintain the school though a reduced number of pupils onsite is not a viable approach, with pupil numbers still expected to fall further in future years and parental preference being a mainstay of government policy.
- 17.7 On 21 February 2024 the school was operating with 69 pupils, making it the smallest primary school in Brighton & Hove. The primary school with the second lowest number of pupils, St Bartholomew's CE Primary School, is also the subject of a proposal for closure on 31 August 2024.
- 17.8 The Portslade planning area in which the school is situated is expected to have over 90 unfilled places and rising in the coming years. St Peter's school has received low levels of parental preferences in recent years.
- 17.9 Irrespective of the financial viability of the school the parents of children attending the school are concerned that their children's needs will not be met as well as they are by staff at St Peter's Community Primary and Nursery School and that benefits offered by the nursery provision will not be found elsewhere. The Council acknowledges the concerns of parents in this regard, but has sought to address those concerns in the body of this report and with the plans underway to assist with the transition of children into new schools. The majority of the existing children attending the nursery provision are due to move to Reception year in any event, and the council considers that there is sufficient alternative nursery provision in the city for the other children.



- 17.10 The appended Equalities Impact Assessment and this report seeks to capture not only how families and staff with protected characteristics will be likely to be negatively affected by the proposal, but also sets out the measures that the Council will take to address this.
- 17.11 In considering this proposal the Council has been proactive in seeking to put measures in place which will offer the best prospect of a welcoming and effective transition for pupils and their families to other schools in the city which also take pride in operating an inclusive and caring ethos.
- 17.12 In recommending that the school closes the Council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance, and to work with the receiving schools to meet the individual needs of the children, with particular attention for those children with special educational needs, as set out in the report.
- 17.13 If the proposal to close the school is agreed, the Council will engage with the families and staff of St Peter's to make the best alternative arrangements possible and is confident of the commitment of alternative receiving schools to welcome and meet the needs of new pupils, who will add to the vibrancy of the schools they ultimately attend.
- 17.14 The Council has put additional resources in place to provide teams with dedicated time and staff to oversee arrangements, which include the availability of translation services. The Council has clear expectations of receiving schools to engage with families and St Peter's Community Primary and Nursery School to enable pupils to become familiar and be offered some reassurance about their new school in advance of the new academic year. It is likely that there will be some groups of pupils who will select the same alternative school. Pupils currently in Year 6 will not be impacted by this proposal in so far as they will be changing schools and moving on to secondary school in any event.
- 17.15 The proposal is taken in the context of the Council having recently voted to reduce the PAN of other schools, but this alone will be insufficient to address the surplus in school places with the financial consequences for schools the report describes. Whereas nationally in 2022/23 12.3% of primary schools had a negative revenue balance (deficit), the proportion in Brighton & Hove for primary schools in deficit was 40.8%, and 54% of all schools in the city now are in deficit. The position is unsustainable. Should the Council not proceed with proposals to close the school, and with the limitations on Council's adjusting the PAN of other schools, the problems the report describes will not be resolved and it can be reasonably expected that the Council will need to contemplate the closure of alternative schools in the future. This would potentially affect schools with higher numbers of pupils thereby affecting more families than the proposal put forward in this report.
- 17.16 If the recommendations in this report are agreed, a recommendation will be made to Full Council on 4 March 2024 to agree to the closure of St Peter's Community Primary and Nursery School on 31 August 2024.

## **18. Financial implications**

- 18.1 School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority (over 90% in 2023/24) of the delegated schools block of funding is allocated through pupil-led factors. This means schools with falling pupil numbers are likely to see reductions in annual budgets. This situation can be particularly challenging where pupil numbers in year groups fall well below the expected number, based on the PAN of a school.
- 18.2 By reducing the number of surplus places in the city in the longer term there is an expectation that school occupancy rates will increase meaning that school budgets generally are more sustainable. Schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.
- 18.3 The governing body approved budget plan submitted by St Peter's in summer term 2023 shows the school with an estimated deficit balance of £202,849 at the end of the 2023/24 financial year with no long-term plan to bring the budget back into balance. The school did submit a revised budget plan during the consultation period based on a reduced PAN and this demonstrates how expenditure could be lowered through a reduction in costs including fewer teaching assistants. The revised plan shows potential in-year surpluses which would partially offset the school's current deficit, however the predicted position at the end of the 2026/27 financial year still shows a cumulative deficit in the region of £140,000.
- 18.4 Where a local authority-maintained school has a deficit at the point at which the school closes this will be a charge to the Council's General Fund. The deficit of St Batholomew's by the end of the academic year 2023/24 is estimated to be £200k and the Council is making provision for this expenditure as part of its financial modelling, at a time of significant pressure on the Council's budget. There will also potentially be additional costs relating to redundancies and additional central staff expenditure for the Council in managing the process that would result in further costs to the Council's General Fund.

Name of finance officer consulted: Steve Williams Date consulted: 21/02/24

## **19. Legal implications**

- 19.1 Section 14 of the Education Act 1996 imposes a duty on the Council to ensure the provision of sufficient schools for the provision of primary and secondary education in its area.
- 19.2 In order to achieve any reorganisation of school provision the Council must comply with School Organisation legislation, the Education and Inspections Act 2006 (EIA), associated regulations, and statutory guidance published by the Department for Education "Opening and closing maintained schools, Statutory guidance for proposers and decision makers, January 2023". Both

the legislation and guidance set out the steps which the council must take before making any decisions on proposals to reorganise school provision.

- 19.3 In accordance with Section 15 of the Education and Inspections Act 2006 (“the EIA 2006”) (as amended) and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (“the Regulations”), the Council has completed a formal consultation on the proposal, statutory notices have been published and a four week representation period has taken place.
- 19.4 Under the Council’s Constitution, Full Council has reserved decisions on strategic issues relating to school admission arrangements to itself. (Part 3.1.02(a)(ii) of the Constitution). Given the significant nature of this proposal Children Families and Schools committee will make a recommendation to Full Council who will then make the final decision on the proposal on 4 March 2024.
- 19.5 The decision maker must have regard to the statutory decision makers guidance contained in the DfE Guidance referred to in paragraph 8.2 above. This sets out the considerations that should be made by the local when deciding proposals to establish or discontinue (close) a school. In all cases, the decision maker should be satisfied that the proposer has carried out the requirements of the statutory process satisfactorily and should have due regard to all responses received during the representation period. A link to the Guidance is below:  
[https://assets.publishing.service.gov.uk/media/63d1357ed3bf7f3c44bcd6b9/Opening\\_and\\_closing\\_maintained\\_schools\\_Jan\\_2023.pdf](https://assets.publishing.service.gov.uk/media/63d1357ed3bf7f3c44bcd6b9/Opening_and_closing_maintained_schools_Jan_2023.pdf)
- 19.6 As the decision maker on the proposal the Council must make the decision within two months of the end of the representation period.  
When issuing 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 being met
- 19.7 In taking decisions the Council must act lawfully, including acting within its powers and following its own procedures as well as those required by law. The Council must ensure that all required consultations are properly undertaken in accordance with relevant law and guidance. It is important to recognise that a public consultation is not a vote or referendum, but an opportunity to gather a range of insights, views and feedback on proposals before any decisions are made. The Council must make rational, evidence-based decisions, take into account all relevant considerations, act for a proper purpose, and be properly reasoned.
- 19.8 As St Peter’s Community Primary and Nursery School is a community school only the Diocesan Board of Education or the Bishop of any Roman

Catholic diocese can make a referral to the Office of the Schools Adjudicator should the Council make the decision to close the school. Any referral to the Schools Adjudicator must be made within 4 weeks of the date of notification of the decision of the Council.

- 19.9 The Council is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) in determining the proposal. In order to comply with the public sector equality duty the Committee should have due regard to the analysis of the impact upon those affected by the proposal who have protected characteristics under the Act. This is summarised within the EIA template and the body of the report. Recent government guidance indicates that the general duty requires decision-makers to have due regard to advance equality of opportunity and foster good relations in relation to activities such as providing a public service. As indicated in recent government guidance the duty does not dictate a particular outcome. The level of "due regard" considered sufficient in any particular context depends on the facts. The duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics.

Name of lawyer consulted: Serena Kynaston      Date consulted: 22/02/2024

## **20. Equalities implications**

- 20.1 An Equalities Impact Assessment (EIA) has been undertaken and is included as Appendix 2 to this report. As the earlier equalities section details, in proposing the closure of a school the Council needs to consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals. In so doing, decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.
- 20.2 In addition, the Government refreshed guidance on the Public Sector Equality Duty which requires public authorities to have due regard to certain equality considerations when exercising their functions, like making decisions. The guidance reiterates that "It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand." Therefore,

compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.

- 20.3 Through the consultation and representation period, concerns have been expressed about the potential harm a school closure would have on families and children who have special educational needs, have life experiences that have caused trauma and created disadvantage. Whilst it is clear that any change of school will have an impact on a family and child, the Council is committed to minimising the harmful impact of that in conjunction with both St Peter's Community Primary and Nursery School and the receiving school.
- 20.4 It is possible that families may need to travel further to school than they do currently and there will be a need to establish new trusting relationships for families and children with staff in a new school.
- 20.5 The EIA outlines the potential actions that can be undertaken to advance equality of opportunity, eliminate discrimination, and foster good relations should the proposal to close the school be agreed.
- 20.6 The Council recognises that the proposal to close the school is at odds with other stated objectives of the Council including its anti-racist pledge. Whilst the Council recognises that it must be more transparent in its decision making and better demonstrate consideration of the impact decisions could have on those with protected characteristics, the requirement to address the issue of falling pupils numbers, financial pressures across the school system and minimise the risk to the Council's own viability result in having to put forward the proposal to close a school in an area with declining pupil numbers for which there is no compelling evidence of the school's on-going viability.
- 20.7 As a result, the Council has identified in the EIA steps that can be taken to mitigate the effects of the school's closure.

## **21. Sustainability implications**

- 21.1 The proposal to close St Peter's Community Primary and Nursery School could extend the length of journey families need to undertake to take their children to school. This could have an impact on the use of private vehicles, or the number of journeys undertaken on public transport especially if the distance from home to school increases when children are placed in other schools.
- 21.2 At this stage it is not possible to anticipate patterns of parental preference to identify what mitigation measures will need to be in place. However, schools are expected to have a School Travel Plan to:
- reduce the number of vehicles on the journey to school
  - improve safety on the journey to school
  - encourage more active and sustainable travel choices

And it would be expected that schools receiving pupils as a result of a decision to close the school are supported to amend these to take account of the changes that occur. The table in Paragraph 12 provides information regarding the distance to alternative schools from all postcodes where current pupils on roll at St Peter's Community Primary and Nursery School live.

- 21.3 The Council has heard the concern about safe walking routes to school especially for families who have younger children or those whose additional needs may make their behaviour unpredictable. Consideration will need to be made to reviewing routes considered safe walking routes where concerns have been expressed. In addition, due consideration will be given to the circumstances of any families who apply for transport assistance once their child has been allocated a new school place.

## **Supporting Documentation**

### **Appendices**

1. Primary School Place Forecast
2. Equalities Impact Assessment
3. Terms of Reference of Transition Board
4. Proposed Closure of St Peter's Community Primary & Nursery School – Children, Families and Skills Committee 22 January 2024
5. Proposed School Closures 2024 – Children, Families and Skills Committee 6 November 2023

### **Background documents**

The responses received via the consultation portal and then representations made during the Statutory Notices period have been made available confidentially to Councillors sitting on the Children, Families and Schools Committee and for Full Council for their consideration.