

WIRRAL COUNCIL

CABINET – 14th JANUARY 2010

REPORT OF DIRECTOR OF CHILDREN'S SERVICES

OUTCOME OF PROPOSAL FOR THE CLOSURE OF ST LAURENCE'S CATHOLIC PRIMARY SCHOOL

EXECUTIVE SUMMARY

At its meeting of 1st October 2009, Cabinet decided that following consultation with governing bodies, staff, parents and other stakeholders, statutory notices should be published regarding the closure of St Laurence's Catholic Aided Primary School. Notices were published on 14th October 2009. This report describes the outcome of the subsequent representation period and recommends that the proposal be approved, and that authorisation be given for the proposal to close the school to be implemented.

1.0 Background

- 1.1 The outcome of the consultation was described in the 1st October 2009 report to Cabinet, in section 4. The Cabinet report and minute are attached as Appendix A.
- 1.2 A consultation meeting was held at the school on 2nd July 2009, and was attended by 57 persons. 26% of pupils on roll at that time were represented at the meeting by at least one parent/carer. In total, 67 written responses to the whole Phase 5 consultation were received, of which 10 were from persons responding in relation to St Laurence's Catholic Primary School.
- 1.3 In January 2009 St Laurence's Catholic Primary School had 75 pupils on roll, and at 64% and 135 surplus places had significantly exceeded the criterion of 25% and 30 surplus places. Respondents were concerned about the quality of education and class sizes at alternative schools, also whether children attending non-Catholic primary schools would retain their priority admission to Catholic secondary schools. The distance to alternative schools and availability of places and the future of the St Laurence's site were also raised as issues.
- 1.4 Cabinet determined that proposals should be published in respect of the closure of St Laurence's Catholic Aided Primary School with effect from 31st August 2010.

2.0 Proposal publication

- 2.1 On 14th October 2009, proposal notices for the closure of St Laurence's Catholic Primary School were widely published, including the local press (Wirral Globe), and entrances to the school. In addition, the notices were posted at The Louries Community Centre, at the on-site satellite to Birkenhead and Tranmere Children's Centre, and at News and Booze newsagents on Conway Street, Birkenhead. The notices were also published on-line at the Council's consultation website, www.wirral-mbc.gov.uk/PrimaryPlaces/North_Birkenhead.asp
- 2.2 Under the Education and Inspections Act 2006, in addition to the statutory proposal notice, a more detailed "complete proposal" must be produced. Copies of the notice and complete proposal were provided to the school, the Secretary of State, the Anglican and Catholic Diocesan bodies and all relevant persons and groups named in the guidance. The documentation was also made available on the Council's Primary Places

Review website. The notice and complete proposal are attached as Appendix B. The full proposal and all supporting information have been provided to members on CD-ROM.

- 2.3 Following the publication of notices, there is a statutory six week representation period during which objections or comments on any proposal can be sent to the Director of Children's Services. This was clearly stated on the notices. Any person can request a copy of the full proposal, however no requests were received.

3.0 Outcome of the representation period

- 3.1 The statutory representation period ended on 2nd December 2009. During this time, the Director of Children's Services received one written comment in relation to the proposal from St Werburgh's Catholic Primary School. Just prior to notice publication, an e-mail was received from one individual, the parent of a pupil at St Laurence's Catholic Primary School, which will also be treated as a representation. These comments are attached as Appendix C.
- 3.2 Under paragraph 8 of Schedule 2 to the Education and Inspections Act 2006 (EIA 2006), the decision on the proposal for the closure of St Laurence's Catholic Primary School rests with the Council's decision making body, which is Council's Cabinet. The DCSF Decision Makers Guidance on closure is attached as Appendix D.

4.0 Comments on the proposal

A summary of the points raised is as follows:

Traffic and Transport

- Distance to alternative catholic primary schools, especially in winter
- Crossing main roads

Building and site

- Could have made the school smaller instead
- Council has already got plans for the land

Falling rolls

- No available places in other catholic primary schools
- Impact on class sizes

Pupils

- Children will not attend any other school if St Laurence's closes

Commentary on the points raised

4.1 Traffic and Transport

In terms of distance to alternative schools, there are 27 alternative primary schools within a 2 mile radius of the school. The distance between the St Laurence's site and other Catholic primary schools are not great. St Werburgh's is half a mile away – about 12 minutes walk. Our Lady and St Edward's is 0.8 miles away (about 16 minutes walk). The Authority will pay for travel to school if the nearest appropriate school is more than 2 miles away for children under 8, and for children aged 8 to 11 whose families are entitled to a free school meal or receive the maximum level of Working Tax Credit. For children aged 8 or over, the Authority will pay if the nearest appropriate school is more

than 3 miles travel. Within the 2 mile distance are also St Joseph's Catholic Primary (Birkenhead) at 1.3 miles (29 minutes walk), St Joseph's Catholic Primary (Wallasey) at 1.4 miles (30 minutes walk) and Holy Cross Catholic Primary School at 1.8 miles (35 minutes walk). The exact travel distance for any individual pupil would depend on their home address.

Of the 36 pupils expected to be on roll at September 2010, two would travel more than 2 miles to all three main alternative Catholic primary schools (St Werburgh's, Our Lady and St Edward's, St Joseph's Birkenhead), but already travel more than 2 miles to St Laurence's Catholic Primary, so can be expected to use whichever means of transport they are already utilising. For 100% of pupils on roll, travel to one or more alternative Catholic primary schools would be shorter or similar in length.

Regarding crossing main roads, a significant proportion of parents living within St Laurence's catchment parish already travel to alternative Catholic primary schools (39%) – principally St Werburgh's (16%), Our Lady and St Edward's (13%) and St Joseph's Birkenhead (6%) and there are 27 alternative primary schools within a 2 mile radius of the school. The Parish of St Laurence's and St Werburgh's would retain a Catholic primary school at St Werburgh's.

The impact of closure of the school on travel and transport is expected to be minimal. This is not a ground to reject the proposal.

4.2 Building and Site

Retaining St Laurence's as a small school, reducing surplus by other uses for the building, was raised as a suggestion during consultation, and was considered in the 1st October 2009 report to Cabinet.

In September 2009, the number on roll at St Laurence's Catholic Primary had fallen from 75 pupils in January to 51 pupils, less than a third of the viable size indicated by Wirral policy.

The capacity of St Laurence's, measured by the DCSF Net Capacity method, is 210 places. The school has already given over former classroom spaces for use as: a Conference room; a Parents room; a Foundation resource; an additional Foundation 1 room; two classrooms (plus additional facilities) are now in use by a Children's Centre Satellite, and the Annexe is currently used by the Authority's Adult Learning team. Had these alterations not been carried out, the capacity at St Laurence's would now be 381 pupils – which would mean 330 surplus places (87%).

Small schools inevitably cost more to maintain than larger schools. Wirral policy says that schools become increasingly more difficult to maintain as they fall below 180 pupils on roll. DCSF guidance says that "Schools with fewer than 150 pupils may be educationally and financially sustainable only through substantial subsidies via their local authorities funding formula". Financially, the total sum available for spending on all our children does not increase if we choose as an Authority to organise our children in more schools than is necessary for the efficient and effective delivery of education. It follows that the maintenance of small schools, where this is not necessary, comes at the expense of all other children. In 2006-2007, expenditure per pupil at St Laurence's was £5,520 compared with the Wirral average of £3,249. This was the highest expenditure per pupil of any Wirral primary school.

The Authority seeks to co-locate children's services with schools wherever possible, and has done so at St Laurence's. The viability of any school chosen as a co-location site must be taken into account when decisions are made regarding extended schools. Any further reduction in surplus places would not, however, address the issues faced by the school due to its small size, and there is little prospect of numbers on roll at the school increasing.

With regard to future uses of the St Laurence's Catholic Primary School site if it is declared surplus to requirements as a school, the site is owned by Trustees of the Diocese of Shrewsbury, not by the Council. There are no plans or planning applications in relation to the site.

This is not a ground to reject the proposal.

4.3 Falling Rolls

There are 26 alternative primary schools within a 2 mile radius, at which in January 2009 there were 1,471 surplus places, compared to the number on roll of 75 pupils. In alternative Catholic primary schools there were 224 surplus places, which are projected to rise by September 2010 to 366 surplus places, in part due to the expansion of neighbouring Our Lady and St Edward's Catholic Primary School from 266 places to 420 places.

Excluding those schools in the South Wallasey planning area, there are projected to be 958 surplus places within 2 miles in 2010, of which 236 surplus places are in alternative Catholic primary schools.

At alternative Birkenhead primary schools in the Birkenhead area within just 1 mile, there were 488 surplus places in January 2009, rising to 610 surplus places in 2010.

When the Full Proposal was written, there were expected to be 39 existing compulsory school age pupils who will require a place in an alternative primary school in September 2010. At time of writing this report, this has fallen to 36. The table below shows a breakdown by age group as at December 2009. It should be noted that the number of vacant places in a particular year group in any school is likely to vary throughout the year due to natural pupil movement.

	St Laurence's	Catholic Primary Schools within 2 miles
Current Year Group	Number of pupils (Dec 09)	Number of surplus places
F2	5	13
Y1	2	33
Y2	11	22
Y3	9	55
Y4	4	27
Y5	5	54

Once the proposal for closure was approved, parents/carers would be asked to express a preference, and the Authority would try its utmost to fulfil those preferences. Places would then be allocated using the admissions criteria, which include "in-zone" status, and keeping brothers and sisters together at the same school wherever possible, subject to the Infant Class size limit.

St Werburgh's Catholic Primary School has expressed their concerns about reorganising classes and staffing levels. The Local Authority and the Diocese of Shrewsbury have agreed that all parents who opt for a Catholic primary place for their child will be accommodated in one of the nearby Catholic primary schools, but neither body would expect this to include breaching the Infant Class size limit. With regard to staffing levels, schools receiving pupils from a closed school will also receive the Age Weighted Pupil Unit (AWPU) for those pupils, which will offset any additional staffing

costs. The table above demonstrates that the number of pupils to be accommodated is relatively small.

An additional 154 places have already been created by the Diocese of Shrewsbury at Our Lady and St Edward's Catholic Primary School. Any additional temporary or permanent works to any school will be prioritised by the LA and Diocese once parental preferences have been received and the allocation finalised.

This is not a ground to reject the proposal.

4.4 Pupils

The sole responding parent indicated that her children would be removed from school if St Laurence's were to close. Under Section 7 of the Education Act 1996, all children of compulsory school age (5 to 16) must receive a suitable full-time education. Parents have a legal responsibility to make sure this happens - either by registering their child at a school or by making other arrangements to give them a suitable, full-time education. Once the child is registered at a school, parents are legally responsible for making sure they attend regularly.

All parents have the right to decide to educate their children at home, either themselves, or by hiring a tutor. This is a major decision, and the Authority would recommend that any parent considering this option should think very carefully before making a decision to home-school their child. Educating children at home requires great commitment and stamina as well as a considerable investment in resources, as there are no central government grants available to support home education.

Local Authorities have a duty to satisfy themselves that children who are not in the school system are receiving a suitable education. Under Section 437 of the Education Act 1996, the LA can serve a notice requiring the parent to satisfy the LA that the child is receiving a suitable education, or a school attendance order which requires the parent to register the child at a named school. Under Section 444, 444A and 444ZA of the Education Act 1996, LAs are also responsible for taking legal action to enforce attendance at school through the Education Welfare Service.

This is not a ground to reject the proposal.

5.0 Other factors to be considered

- 5.1 St Laurence's Catholic Primary has 75 pupils on roll, having last had more than 210 pupils on roll in 1998 (211), followed by a long decline. The school serves the St Laurence's Parish which is part of the wider parish of St Laurence and St Werburgh's, also served by St Werburgh's Catholic Primary School.

There were a total of just 80 Catholic choice pupils living within the St Laurence's Parish in Summer 2008. Of these, 61% (49 pupils) attended St Laurence's Catholic Primary School. The remaining 39% (31 pupils) principally attended St Werburgh's Catholic Primary School (16%, 13 pupils), Our Lady and St Edward's Catholic Primary School (13%, 10 pupils) and St Joseph's Catholic Primary (Birkenhead) (6%, 5 pupils). 31% of pupils on roll in Summer 2008 came from outside the school's catchment parish, however overall there was a small net loss of 8% (6 pupils) to other Catholic primary schools.

5.2 Surplus places

There were a large number of surplus places in January 2009 (64%, 135 places), rising to 76% (159 places) by September 2009 and this situation is not predicted to improve over the next five years.

5.3 The DCSF guidance for Decision Makers says that they “*should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA*”.

The 2009 contextual value added measure (CVA) of 101.7 at St Laurence’s Catholic Primary School indicates that pupils made above the expected rate of progress, and standards are therefore not low in Wirral terms. The Decision Makers guidance suggests that in this situation, the following factors should be considered:

- standards at alternative schools (5.4)
- geographical issues such as travel distance to alternative schools (5.5)
- impact on community use of the building (5.6)

and also

- balance of denominational provision (5.7)

5.4 Standards

With regard to standards, a three year average of the overall Key Stage 2 CVA score (2007 to 2009) shows that with the exception of Bedford Drive Primary School and St Alban’s Catholic Primary School (in Wallasey), pupils at all schools within 2 miles are making at least the expected rate of progress or better.

School	CVA 2009	3 Year Average
Bedford Drive Primary School	97.8	98.8
Bidston Avenue Primary School	100.4	99.8
Birkenhead High Academy for Girls*		
Cathcart Street Primary School	99.4	99.5
Christ Church CE (Birkenhead) Primary School	101.2	100.7
Cole Street Primary School	100.9	100.1
Devonshire Park Primary School	100.5	100.1
Egremont Primary School (W)	99.8	100.1
Holy Cross Catholic Primary School	98.6	99.3
Kingsway Primary School (W)	100.7	100.2
Mersey Park Primary School	99.4	100.0
Our Lady and St Edwards Catholic Primary School	100.6	100.7
Oxton St Saviours CE Primary School	100.6	100.6
Park Primary School (W)	100.0	99.9
Portland Primary School	101.4	101.5
Riverside Primary School (W)	100.7	100.7
Rock Ferry Primary School	99.2	99.8
Somerville Primary School (W)	100.8	100.8
St Alban's Catholic Primary School (W)	99.4	98.9
St Joseph's Catholic Primary School (Birkenhead)	99.3	99.9
St Joseph's Catholic Primary School (W)	98.2	99.6
St Laurence's Catholic Primary School	101.7	101.6
St Werburgh's Catholic Primary School	99.8	100.5
The Priory CE Primary School	100.4	100.8
Well Lane Primary School	98.8	99.7
Woodchurch Road Primary School	101.7	100.9
Woodlands Primary School	101.3	101.1

* No Key Stage 2 results available for Birkenhead High School Academy, which was an independent school until September 2009. (W) indicates the school is in the Wallasey area.

Accordingly, closure of the school would not be expected to reduce standards, and this

is not a ground to reject the proposal.

5.5 Travel

This is covered in 4.1 above.

The impact of closure of the school on travel and transport is expected to be minimal. This is not a ground to reject the proposal.

5.6 Impact on community use

The school is the site for a satellite to the main Birkenhead and Tranmere Children's Centre located at St Werburgh's Catholic Primary School. The satellite comprises a multifunction room from which outreach services are delivered. This will be relocated to an alternative primary school in the area.

This is not a ground to reject the proposal.

5.7 Balance of denominational provision

The guidance says that Decision Makers should not normally approve the closure of a school with a religious character where the proposal would result in a reduction of the proportion of denominational places in the area. This does not apply under some circumstances, including where the school is severely under-subscribed, which is certainly the case in relation to St Laurence's Catholic Primary School.

In addition, the historic ratio of community to denominational places in Wirral has been approximately 70:30. The outcome of previous phases of the school rationalisation programme has already removed a higher proportion of community places, thereby increasing the proportion of denominational places. Following the closure of St Laurence's Catholic Primary School, the overall ratio of community to denominational places would remain relatively stable at 69: 31.

This is not a ground to reject the proposal.

5.8 Conclusion

The Council must consider whether a small school is being maintained when it is not necessary to do so. Surplus places at this school are high and projected to continue to be high. Travel to alternative, high quality school provision is not difficult, and community access to services currently housed within the building would not be significantly impacted upon by closure. Taking all factors into account, it is recommended that this proposal is approved.

6.0 Financial Implications and Value for Money

- 6.1 The closure of St Laurence's Catholic Primary School, excluding those pupil led elements which follow pupils to their destination schools, will release approximately £91,324 annually (on 2010/2011 figures) into the individual Schools Budget as a whole.
- 6.2 In the interim period prior to Cabinet's decision, St Laurence's Catholic Primary School has been allocated a 5/12ths budget for 2010/2011. The remaining 7/12ths budget would then be redistributed through the Budget formula to Wirral schools.
- 6.3 The site of St Laurence's Catholic Primary School is owned by Trustees of the Diocese of Shrewsbury.
- 6.4 The recommended closure of St Laurence's Catholic Primary School may have capital implications in respect of the re-location of current pupils. The level of capital required will depend upon the final, approved proposals and will require further, detailed development work. An amount of £250,000 is included in the 2009/10 Schools Capital Programme for "scheme development resulting from primary reviews" which was approved at the Cabinet meeting of 28th May 2009. This will allow schemes to be

drawn up, costed and tendered, with any balance contributing to build costs. The balance of the capital build costs would need to be drawn from the following sources: Primary Capital Programme, DCSF Modernisation Grant, council capital including capital receipts from the disposal of surplus assets, Prudential Borrowing and capital forming part of other national initiatives.

7.0 Staffing Implications

- 7.1 When a school closes, all staff at the school are made redundant.
- 7.2 The Authority has a long and successful track record in assisting redundant teaching and non-teaching staff into new positions. Wirral does not have a redeployment scheme in place for teaching staff at present, and the present arrangement relies on the co-operation of governing bodies when making appointments.

8.0 Equal Opportunities Implications

- 8.1 It is essential to plan school provision across the Authority so that it is both efficient and effective in the interests of all pupils.
- 8.2 An equality impact assessment will be carried out on this report.

9.0 Community Safety Implications

- 9.1 Rationalisation and refurbishment of schools allow the most vulnerable accommodation to be removed and other security improvements carried out.

10.0 Local Agenda 21 Statement

- 10.1 The provision of efficient and effective education is a vital part of serving local communities; inefficient use of resources is wasteful both in educational and physical resource terms.

11.0 Planning Implications

- 11.1 The site would be subject to the usual planning permissions.

12.0 Anti-Poverty Implications

- 12.1 The redistribution of funding released by school reorganisation, in combination with the Authority's intention to realign the schools budget to give higher levels of funding to schools with high levels of deprivation, as well as improved accommodation, goes towards raising aspirations and narrowing the attainment gap for vulnerable groups.

13.0 Social Inclusion Implications

- 13.1 School re-organisation and transforming accommodation through the Primary Capital Programme and other schemes, provides opportunities to promote joint agency work to promote co-ordinated solutions for pupils and their families.

14.0 Local Member Support Implications

- 14.1 The schools specifically mentioned and the Birkenhead and Tranmere Ward.

15.0 Background Papers

- 15.1 Previous Cabinet reports

Responses to Consultation.

Recommendations

- (1) That the proposal for the closure of St Laurence's Catholic Aided Primary School be approved, and that the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed, including proposals for the re-zoning of schools, in furtherance of the proposal, with closure of the school on 31st August 2010.

Howard Cooper

Director of Children's Services