

# Children and Families Committee

## Supplementary Agenda

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**Date:** Monday, 11th December, 2023  
**Time:** 10.00 am  
**Venue:** Committee Suite 1, 2 and 3, Westfields, Middlewich Road,  
Sandbach, CW11 1HZ

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6. **Proposed Closure of St Gregory's Catholic Primary School, Bollington** (Pages 3 - 46)

To consider the report which was marked to follow on the agenda.

7. **Basford East New Primary School Postponement to Scheme** (Pages 47 - 54)

To consider the report which was marked to follow on the agenda.

**Membership:** Councillors L Anderson (Vice-Chair), R Bailey, M Beanland, S Bennett-Wake, C Bulman (Chair), D Clark, E Gilman, G Hayes, R Kain, B Posnett, J Saunders, G Smith and L Smith

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For requests for further information

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OPEN

## **Children and Families Committee**

**11 December 2023**

### **Proposed Closure of St Gregory's Catholic Primary School, Bollington**

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**Report of: Deborah Woodcock, Executive Director Children's  
Services**

**Report Reference No: CF/46/23-24**

**Ward(s) Affected: Bollington, Broken Cross and Upton, Gawsorth,**

**Macclesfield Central, Macclesfield East, Macclesfield Hurdsfield,**

**Macclesfield South, Macclesfield Tytherington, Macclesfield West and  
Ivy**

#### **Purpose of Report**

- 1 The purpose of this report is to report on the outcomes of the pre-publication consultation and the statutory public consultation undertaken in respect of the proposed closure of St Gregory's Catholic Primary School, Bollington.
- 2 Request for Children Families Committee review the information provided within this report and approve the recommendations.

#### **Executive Summary**

- 1 Following approval by committee on the 18 September 2023 minute 36 to commence with the structured process as outlined in the statutory guidance regarding the future viability of St Gregory's Catholic Primary School the pre-consultation process commenced.
- 2 A letter and consultation response form was sent to Parents and Carers, Staff, Elected Lead Members, Governors, and the Diocese of Shrewsbury in terms on the future viability of St Gregory's Catholic Primary School. The pre consultation ran from 2 October 2023 to 22 October 2023.
- 3 Following the pre consultation a statutory public notice was published in the Macclesfield Express on 25 October and the statutory 4-week representation period ran from 25 October 2023 to 26 November 2023.

- 4 At the point of submitting this report, 3 pupils remain on roll at the school with an identified new destination of school for all the remaining children. Officers are working closely with the families to ensure a smooth transition takes place for the children.

## RECOMMENDATIONS

Children and Families Committee is recommended to:

1. Approve the implementation for the closure of St Gregory's Catholic Primary School, effective from 31<sup>st</sup> December 2023, subject to the Department for Education (DfE) revoking the Academy Order
2. In line with Department for Education guidance, Opening and Closing Maintained Schools, approve the publication of the decision to implement the closure of St Gregory's Catholic Primary School

## Background

- 5 The local authority, through its officers within education services, has regarded St Gregory's Catholic Primary School as a 'school causing concern' for a considerable period, this has been due to its challenges in securing sufficient pupils on roll to allow for a sustainable and affordable budget to be set. Added to these concerns were the quality of leadership in the school and the resulting outcomes for children attending the school.
- 6 In early February 2022, based upon the concerns over the school, the local authority initiated one of its intervention powers linked to 'schools causing concern', and issued a pre-warning letter to the governing board of the school. Unrelated to this, in February 2022 the school also received a full Section 5 inspection by Ofsted which judged overall that the school provided an inadequate quality of education for the pupils attending and this resulted in the school being issued with a directive Academy Order (dAO)
- 7 A dAO is a legal instruction which will ultimately lead to a maintained school academising and joining a multi academy trust (MAT). In most cases, a dAO is triggered by an inadequate Ofsted judgement or being judged less than good twice.
- 8 The local authority was required to complete a 'statement of action' following an inadequate Ofsted judgement and this was approved by Ofsted in terms of a rapid improvement plan. This plan was based upon the national expectation that the school would now join an academy trust as a sponsored school which would assist in providing the appropriate levels of support to improve the

quality of education. Being a Diocesan school, such a trust would need to meet the requirements of the Diocesan of Shrewsbury.

- 9 Following extensive meetings with Diocesan officers and members of the Northwest Regional Director's team, it became clear that the preferred local Diocesan academy trust did not consider this school a viable option in terms of its financial position; this was primarily due to the ongoing fall in pupil numbers.
- 10 At the ongoing meetings referred to above, the position was reached that as no suitable trust option was available, that careful consideration needed to be given to the sustainability of this school and that structured consultation would need to be considered which could include the option to close the school. This is a formal staged process using Department of Education statutory guidance. Opening and closing maintained schools' Statutory guidance for proposer and decision makers (January 2023) – see below.

### Opening and closing maintained schools.

Children and Families Committee would be the overall decision maker using this guidance.

- 11 It is understood that the DfE will implement the ministerial submission for the revocation of the dAO for St Gregory's, as a result of the decision of the Children and Families committee meeting.

### **Consultation and Engagement**

- 12 A parents' meeting was held at the school on 10 July 2023 to inform the local community that this structured process was to be considered by committee in September. A letter was also sent to all parents and carers of pupils attending the school before the end of term to again provide information on this theme.
- 13 At the Children and Families Committee on 18 September 2023 a paper was presented to Committee by the Cheshire East Director of Education, Strong Start and Integration, Claire Williamson.
- 14 The Committee approved the commencement of the structured process as outlined in the statutory guidance "Opening and closing maintained schools" regarding the future viability of St Gregory's Catholic Primary School.
- 15 Following approval to proceed with the structured process, Cheshire East Local Authority progressed with the statutory five-stage process: -

Stage	Action	Comments	Dates
Stage 1	Pre-Consultation	Consultation with parents and carers, staff, elected members, Diocese of Shrewsbury	Undertaken 2 October to 22 October 2023
Stage 2	Publication	Statutory proposal published	25 October 2023
Stage 3	Representation	Must be at least 4 weeks as in the regulations	25 October 2023 till 26 November 2023

Stage 4	Decision	The decision maker (LA) must make a decision on the proposal within 2 months of the end of the representation period or the decision defaults to the School Adjudicator (OSA)	Children and Families Committee 11 December 2023
Stage 5	Implementation	This will be planned in detail dependent on the Committee Decision	

- 16 In line with the DfE guidance, stage 1, the pre-consultation with parents and carers, staff, elected members and the Diocese of Shrewsbury took place for three weeks from 2 October 2023 to 22 October 2023.
- 17 During this pre consultation period 21 responses were received, plus 1 who advised they could not answer the question.
- 11 responses said they agree with the proposal to close St Gregory's Catholic Primary School
  - 10 responses said they do not agree with the proposal to close St Gregory's Catholic primary school.
  - 1 of the responders advised that they could not answer this question.
  - The majority of the responders agreed that due to the low numbers/financial situation the school is no longer viable.

Appendix 1 provides an overview of the responses received from the consultees as part of the pre-consultation stage.

- 18 Following pre consultation, and in accordance with the guidance issued by the Department for Education, a statutory public notice was published in the Macclesfield Express on the 25 October 2023. The 4-week representation period ran from 25 October until 26 November 2023. Information was made available on the Councils' website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese and neighbouring parish and town councils and neighbouring local authorities. Information was emailed to local schools and schools were issued with letters for distribution to their staff, governors and parents.
- 19 Members should note that the statutory consultation period closed on 26 November 2023, at the point of issuing this report (27/11/23) the council has received 767 responses. All the responses are summarised on Appendix 2 but there are a few key themes that have arose as a result of the representation period.
- 20 To assist, these have been placed into categories and detailed in this section of the report with a view to capturing a sense of the views expressed.
- 21 **Demand for school places**

**Consultees views:**

- Increased housing in the area will increase demand for places going forward.
- Not enough current capacity in the other Bollington Schools
- The 100 places lost should be replaced in the other mainstream schools.
- Parents will be forced to travel outside of Bollington to secure a school place.

**Officers Comments**

Analysis has been undertaken to consider the impact and availability of school places, particularly for anticipated reception intakes going forward across the remaining schools in the Bollington planning area, should the decision be made to close St Gregory's.

In the current forecasts the anticipated reception intake for St Gregory's was low and analysis shows that the remaining schools could accommodate the overall numbers.

The table below shows the anticipated numbers for the reception intake for the period 2023 – 2027 which is the 5-year period covered by the current forecasts.

The reception intake numbers originally forecast against St Gregory's have been included against Bollington Cross, but parents are free to express a preference for any school.

		Forecast NOR						Shortfall/ Surplus of places				
School	PAN	2023	2024	2025	2026	2027		2023	2024	2025	2026	2027
Bollington Cross CofE	25	21	26	26	25	26		4	-1	-1	0	-1
Bollington St John's CofE	15	15	15	16	15	15		0	0	-1	0	0
Dean Valley Community	30	25	28	29	27	27		5	2	1	3	3
Pott Shrigley Church School	6	3	4	3	3	3		3	2	3	3	3
	<b>76</b>	<b>64</b>	<b>72</b>	<b>74</b>	<b>70</b>	<b>72</b>		<b>12</b>	<b>4</b>	<b>2</b>	<b>6</b>	<b>4</b>

In addition, it should be noted that the October 2023 GP data indicates a slight fall in the Births between 2024 and 2027 which will also impact on reception intakes.

The authority is aware of potential house building in the area. Currently there is 1 housing development in the Bollington area of 11 houses or more that is included in the current forecasts. The development is for 34 houses with a forecast yield of 6 primary aged pupils which have been included in the current 5-year forecasting period.

## **22 Faith and Non-faith Provision**

### **Consultees Views:**

- Diversity of choice needs to be maintained. Catholic schools are vitally important in the community.
- Keep specialist faith with more support from Diocese and LA

### **Officers Comments**

There are 2 alternative Catholic primary schools within the Macclesfield area, and 1 in nearby Poynton, all of which have sufficient places for those parents wishing to access faith schools.

## **23 Educational Standards/Schools Causing Concern**

### **Consultees views:**

- Better leadership could have avoided closure.
- Lack of support/decline of school following inadequate OFSTED

### **Officer Comments**

Pre-inspection, the Local Authority provided support to the school and this support has continued post-inspections. This has included finance and leadership support and ongoing significant intervention work led by the School Improvement team.

## **24 Staffing/Human Resources**

Human Resources have consulted with all the staff at the school and a number of meetings have been held. Please see sections 45 to 49 for details.

### **Reasons for Recommendations**

- 25 Following extensive meetings with Diocesan officers and members of the Northwest Regional Director's team, it became clear that the preferred local Diocesan academy trust did not consider this school a viable option in terms of its financial position; this was primarily due to the ongoing fall in pupil numbers.
- 26 All local authorities must comply with the statutory guidance 'Opening and closing maintained schools' statutory guidance for proposers and decision makers January 2023' when considering proposals to close a school. This is a 5-stage process.
- 27 This report provides members with details of the responses received following the publication of the statutory notice and the representation period (stages



two and three) that took place with all the stakeholders as set out in the statutory guidance. The statutory notice and proposals are attached to this report at Appendices 3 and 4.

- 28 Committee must consider the responses to the statutory notice received during the representation period before deciding whether to move on to stage four, decision.
- 29 Committee is the decision maker on the proposal to close St Gregory's Catholic Primary School. When determining proposals to discontinue provision the statutory guidance highlights the factors that decision makers should consider when determining proposals and ensure that the guidance on schools causing concern (intervening in falling or underperforming schools) has been considered where necessary.
- 30 When issuing a decision, Committee as the decision maker can:
  - a. Reject the proposal.
  - b. Approve the proposal without modification.
  - c. Approve the proposal with such modifications as they think desirable, after consulting the LA and or proposer (as appropriate)
  - d. Approve the proposal – with or without modification – subject to certain conditions (such as the granting of planning permission) being met.
- 31 Where the local authority is the decision maker, within one week of making a decision, they **MUST** publish their decision and the reasons for such a decision being made on their website. They **MUST** arrange for notification of the decision and the reasons for it to be sent to:
  - a. the Secretary of State
  - b. the bishop of any Roman Catholic diocese any part of which is comprised in the area of the relevant authority.
  - c. and any other body considered appropriate.

## Other Options Considered

32

Option	Impact	Risk
Do nothing	The numbers in the school are too small to allow the school to be financially sustainable and therefore the deficit budget position for the school would continue grow.	The local authority could not sustain a school which had a three-year deficit budget without a viable solution and therefore financial risk would continue to increase. Small numbers in the school impacts

		significantly on the risk to provide a good quality education for attending pupils.
To seek a sponsored academy solution for the school.	A due diligence process has been followed with two Diocesan trusts which has not seen this school as sustainable in the longer term due primarily to a fall in pupil numbers.	Increasing risks due to the preferred national solution for the school not being available.
To consider alternative uses for the site or alternative educational provisions such as a SEND school.	Such options will be considered separately as part of the formal consultation process – opening and closing schools.	Each risk will need to be considered by committee following any future consultation

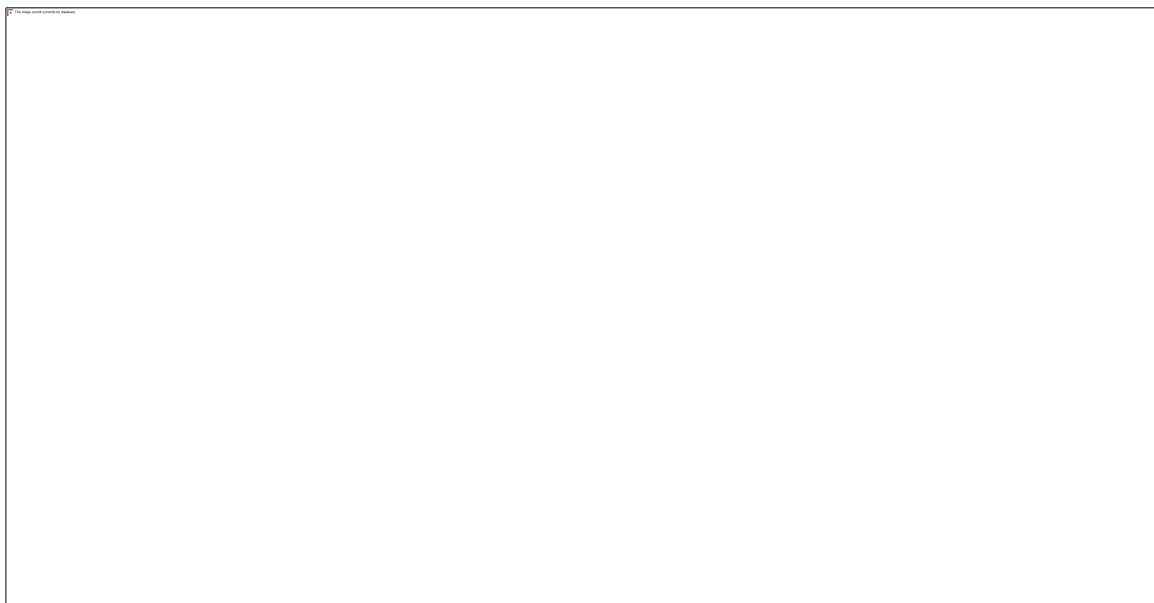
### Implications and Comments

#### *Monitoring Officer/Legal*

- 33 A local authority is under a statutory duty to ensure the sufficiency of school places in their area which includes ensuring that good quality school places are provided where they are needed. Local authorities must ensure that they act in accordance with the relevant legislation namely Part 2 and Schedule 2 of the Education and inspections Act 2006 as amended, The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and DFE statutory guidance Opening and closing maintained schools' guidance for proposers and decision makers January 2023.

#### *Section 151 Officer/Finance*

- 34 Below is a table which summarises the estimated financial position for the school, based on the pupil numbers set out in the table underneath. It is not possible to forecast the exact impact of three pupils at this stage given that much of the high needs and pupil premium funding will also stop and staffing levels will reduce but this provides an indication.



- 35 If the school does progress to closure, then the deficit balance at the time of closure may need to be funded through the council's DSG schools' block.
- 36 Guidance from the DfE will need to be sought on this matter to ensure that we adhere with relevant guidance.
- 37 The school land and buildings currently sit as a value on the Council's asset register, this is because whilst the school is operational the Council has control over the building and what it is used for.
- 38 However, as this is a voluntary aided school the owner of the buildings is the Diocese so they will be responsible for the buildings if the school becomes surplus to requirements. The Diocese would also receive the proceeds of any capital receipt if the buildings element of the asset was sold.
- 39 The playing fields element will remain in the ownership of the Council which may in turn attract certain holding costs that would have previously been picked up by the school.

#### *Policy*

- 40 This process impacting on this school relates to two key educational guidance documents which are outlined below:
- [Schools Causing Concern](#)
  - [Opening and Closing Maintained schools](#)

#### *Equality, Diversity and Inclusion*

- 41 An Equality Impact Assessment has been completed and is attached as Appendix 5 to the report.

- 42 Cheshire East Council and the Diocese of Shrewsbury have consulted on the closure of St Gregory's Catholic Primary School, Macclesfield with effect from 31 December 2023. The school admitted pupils with SEND needs. Following pre-consultation and further engagement activity, responses have been analysed.
- 43 There will be an impact upon those who share one or more protected characteristics, especially pupils who have SEND needs.
- 44 Any impacts will be mitigated as these pupils will be offered alternative school in the local area. Individual assessments and further engagement will be undertaken to ensure that any specific impacts upon these pupils are understood and where possible further mitigation will be considered.

#### *Human Resources*

- 45 Human Resource (HR) officers have been regularly involved in actions taken to date regarding staffing decisions within the school.
- 46 A meeting with staff attended by the Claire Williamson and HR was held at school on 2<sup>nd</sup> October.
- 47 The Trade Unions have been notified and a meeting held with them on 4<sup>th</sup> October.
- 48 A staff formal consultation period has commenced with a formal consultation meeting held on 2<sup>nd</sup> November, attended by Jeremy Keeble, HR and Trade Union Representatives. Seven out of the eleven employees attended the consultation meeting.
- 49 The formal staff consultation period ran until 23<sup>rd</sup> November. 1:1 consultation meetings with all staff have been held week commencing 6<sup>th</sup> November. A weekly questions and answers has been circulated to staff to respond to any questions arising during the consultation. Individual consultation with staff will continue up until a decision is made on 11<sup>th</sup> December 2023. A summary of the feedback from the staff consultation is included as Appendix 6.

#### *Risk Management*

- 50 Risks will be monitored as part of the staged process as outline in the national guidance.

#### *Rural Communities*

- 51 This school is not classed as a rural school.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

- 52 Providing sufficient school places for all children and young people resident in our area is a statutory duty.
- 53 Significant implications for children and their families who may require changing schools because of a school closure.

*Public Health*

- 54 Parents and carers at the recent meeting expressed their concerns at the emotional impact the situation is having on their children when friends and peers leave the school, and the children are having difficulties with developing friendship groups within school.

*Climate Change*

- 55 Not applicable.

<b>Access to Information</b>	
Contact Officer:	<p>Claire Williamson Director of Strong Start, Family Help and Integration and SEND <a href="mailto:Claire.williamson@cheshireeast.gov.uk">Claire.williamson@cheshireeast.gov.uk</a></p> <p><u>Jeremy Keeble</u> Interim Head of Education <a href="mailto:Jeremy.keeble@cheshireeast.gov.uk">Jeremy.keeble@cheshireeast.gov.uk</a></p>
Appendices:	<p>Appendix 1 - Summary of pre-consultation responses</p> <p>Appendix 2 - Summary of responses from 4-week representation period that ran from 25 October until 26 November 2023</p> <p>Appendix 3 – Public Notice</p> <p>Appendix 4 – Consultation Document</p> <p>Appendix 5 – Equality Impact Assessment</p> <p>Appendix 6 - Summary of the feedback from the staff consultation</p>
Background Papers:	<p><a href="http://moderngov.cheshireeast.gov.uk/ecminutes/documents/s108976/1.%20St%20Gregorys.pdf">http://moderngov.cheshireeast.gov.uk/ecminutes/documents/s108976/1.%20St%20Gregorys.pdf</a></p>

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REPONSES FROM STAGE 1 CONSULTATION									APPENDIX 1
Ref	Date response received	Relationship to school	Do you Agree to school closing	Commentary	Do you agree that the site should remain as a school	Commentary	Do you agree to change of use to a special school	Commentary	Further Comments
001	06/10/2023	Staff	Yes	Can't continue without sufficient pupils; pupil increase unlikely; parents moved children as reassurance on future of school unknown	Yes	Building good condition; outdoor/fields/wooded area brilliant for children	Yes	See response document, positive comments thanking staff and parents	
002	05/10/2023	Staff	Yes	Limited numbers of children for social aspect	Yes	Wonderful grounds and space	Yes	None	
003	05/10/2023	Councillor	Yes	Numbers too low to provide an effective education	Yes	None	Yes	Good use of an existing school building	
004	04/10/2023	Parent	No	Unfair to students who have resumed there; start someone else find new friends; disrupt established routine for parent	Yes	None	No	School should remain as it is; if close school, please give parents option of placing our kids into a school of our choice	
005	03/10/2023	Councillor	Yes	Combination of the overhang of a large debt, the very few parents choosing the school for their children and the rejection of support by local academy trusts means closure is an inevitable reality	Yes	School site and buildings belong jointly to Cheshire East Council and the Shrewsbury Catholic Diocese. They represent a very important public asset capable of being repurchased for a new educational service.	Yes	Informed by local teachers and I know as a local Councillor there is a need to expand our local provision for Special Educational Needs. St Gregory's Primary School educational facilities could be adapted to meet those needs. I know that would have strong support from the local community and meet wider public requirements. I would hope and expect this alternative use to be thoroughly explored and implemented if at all possible.	
006	09/10/2023	Diocese	Yes	A lack of pupil numbers and the financial viability of the school	No response	Subject to a detailed proposal and business plan being received from the Local Authority which the Trustees can then consider	No response	Subject to a detailed proposal and business plan being received from the Local Authority which the Trustees can then consider	
007	09/10/2023	School Governor	No	Very short-sighted to be de-creasing the number of schools locally while the number of houses and families is ever increasing. Additionally, St Gregory's is a wonderful school, in fantastic grounds, that has the potential to be an exceptional school.	Yes	In the event that the school cannot keep mainstream pupils, this is an excellent alternative. It is disruptive and illogical to have to send children with special educational needs to schools so far afield.	Yes	I do agree, although it would be preferable to keep the school more inclusive but perhaps with additional SEN provision over and above what the other schools can offer, if this is not viable, then a dedicated special educational needs school would certainly fulfil a desperately needed requirement. I am deeply saddened that this has come to this point. St Gregory's has been/ is a fantastic child-led village school, with dedicated staff taking an holistic approach to learning and education. I sincerely hope that that ethos can remain and be carried on. Had Ofsted returned in a timely manner last year, this would have been reported on and a much more convincing case for the school would have been made in time.	
008	09/10/2023	Parent of pupil no longer at the school	No	School at the heart of Bollington Community and has served the community well for many years. It is known for its warm, family feel and the care it has provided for the children who have attended there.	Yes	It is a lovely building, surrounded by lovely grounds which could be put to good use for the right educational purpose. I believe it would be a huge loss to the community to loose St. Gregorys as an educational facility.	Yes	It is a shame to bus children out of their local community for them to get the educational needs met when we have the opportunity to provide this locally. My children have been very happy at St. Gregorys and as a family we are sad to see what has happened to the school.	
009	15/10/2023	Councillor	Yes	Pupil numbers very low; better served in other schools; school building could be better utilised	Yes	But only if changes to SEN provision; absolutely perfect to change to specialist provision	Yes	Desperately needed. We MUST ensure that the current pupils are moved to appropriate schools that pupils and parents are happy with.	
010	16/10/2023	Former Governor	No	Families feel that they have been forced to move schools due to the uncertainty in the school's future – despite loving the school and their children not wanting to move. The way this has been managed since before the Ofsted ruling is appalling. We need a catholic school in Bollington (despite lack of support from the Diocese). Year group's at the other schools in Bollington are at capacity.	Yes	It's an excellent premises with great facilities it would be a shame to lose this.	Yes	If the school can not remain as St Gregory's then this is the next best alternative and I understand that SEN spaces are desperately needed (rather than CEC paying for children to attend Beech Hall). Additional comments - Not that hasn't already been said about the failure of CEC and the Diocese to support St Gregory's and it's families.	
011	17/10/2023	Parent of pupil no longer at the school	No	No comments	Yes	No comments	Yes	No comments	

012	16/10/2023	Parent of pupil no longer at the school	No	Families feel that they have been forced to move schools due to the uncertainty in the school's future – despite loving the school and their children not wanting to move. The way this has been managed since before the Ofsted ruling is appalling. We need a catholic school in Bollington (despite lack of support from the Diocese). Year group's at the other schools in Bollington are at capacity. St Gregory's has been a significant part of the community for many years and as such has been well supported. Any lack of cohesion in the direction of the school is not the result of a lack of commitment by the community or the parents involved with its success.	Yes	It's an excellent premises with great facilities it would be a shame to lose this.	Yes	If the school can not remain as St Gregory's then this is the next best alternative and I understand that SEN spaces are desperately needed (rather than CEC paying for children to attend Beech Hall). Additional comments - Not that hasn't already been said about the failure of CEC and the Diocese to support St Gregory's and it's families.	
013	17/10/2023	Parent of pupil no longer at the school	No	It is a lovely school and much needed in the community especially for the Catholic families that value Catholic ethos and St Gregory's provides this.	Yes	I agree it would be a much needed essential provision and would also benefit the families that still want to attend St Gregory's if it is inclusive to all. It would also be more cost effective for our LA.	Yes	Keeping the school is more beneficial for the future of the growing community.	
014	13/10/2023	Relative of pupil no longer at the school	Yes	The small number of pupils presents a financial challenge which is unsustainable.	Yes	As the building already exists, it would be in the best interests of children within East Cheshire that have Special Educational Needs to utilise the facility.	Yes	If the use of the school be changed into an SEN school, it would be hugely beneficial to the community who have SEN children to reduce traveling outside the area. It would be a truly Christian action if the Diocese of Shrewsbury allowed this to happen.	
015	13/10/2023	Governor	Yes	It is heart breaking to see St Gregory's move towards closure from the thriving nurturing school we all know and many families including my own have benefited across the generations. The process and journey we have been on seems to have brought us to the inevitable. I believe that the hard work and dedication of the Interim head, Interim trust (Aspire), teachers, Governor's, and school community have addressed many of the Ofsted recommendations and would welcome an Ofsted monitoring inspection, however given the conditions of becoming a multi voluntary trust and no options for this, along with low pupil numbers, the schools future does not appear viable.	Yes	The school has excellent facilities and is well maintained, I would like to support the site to remain as a school. The grounds are suited for providing children with open space and excellent sports facilities including a Forrest school. There are also excellent facilities for vehicles to safely enter the ground to transport children i.e. taxi, mini bus or parent drop off. It would not increase traffic to the site from previous/present use.	Yes	I personally would like to support CE LA taking over the school to provide a SEND provision for children with Additional Needs. I am aware of the need for Specialist provision schools in the area resulting in many children travelling either across CE or out of area for education. St Gregory's has always been an inclusive community with a commitment to supporting children with SEND. I feel it would be an opportunity to continue the ethos and aims of the school and support the wider community of children and families, enabling children to access a specialist setting in their local community, fostering community links, and supporting families to access local education provision.	
016	18/10/2023	Parent of pupil no longer at the school	Yes		Yes	N/A	Yes	Comments A specialist school would be an amazing thing to have in the village, there are not enough spaces to accommodate all children who need specialist provision. Some children are often not in a school due to not being able to find a space in a school	
017	18/10/2023	Governor	Yes	Unfortunately, the school is no longer viable, due to a series of issues over the last 6 years, meaning that parent chose not to send their children to the school. In Cheshire East we have a need for specialist school places for children with Special Education Needs and at present many children have to go to schools outside of the Cheshire East borough to access their education provision. The local authority would like to open urgent discussions with the Diocese of Shrewsbury to discuss the use of the building if a decision is made to close St Gregory's Catholic Primary School.	Yes	The building has a long history of being a loving and inclusive school, it would be such a shame for the community to lose this important resource. If it can no longer be St Gregory's Catholic Primary School, then it would make a very good SEN provision, serving the wider Cheshire East community.	yes	This is a perfect for provision for any type of school, plenty of space and lots of outside areas for children to learn and grow in. If it can no longer be a mainstream primary school then it will make an excellent SEN provision	If the diocese had supported the school over the last few years, we may not be in the position we find ourselves in. However, there is no point dwelling on this, we need to look to the future and the transfer of use of the school to a dedicated SEN provision would be the best use of the site. I know of children in the local area who have been unable to start school this year, as there are no places for them in SEN schools. The least we could do for the local community is to open an SEN school in the village to provide much needed school places for those children who cannot attend mainstream school, this site provides the perfect setting for that.
018	19/10/2023	Parent of pupil no longer at the school	No	The school will close due to a probably previous reasons decisions and the Diocese's inaction and what appears to be a 'Don't care' outlook. It's possible they only see this as a way to raise cash from a potential housing scheme, they should take a peppercorn rent for the benefit of the Cheshire children. We needed a school, its too late now and I want to see and SEN school here.	Yes	The school is the perfect setting for this need, sending children outside Cheshire East is ludicrous and probably against the ESG policy for the councils targets. Kill 2 birds with one stone and make it an SEN school! The church should take the positive kudos from supporting this rather than the negative press if they don't The Diocese of Shrewsbury have been negligent on their communications and actions to date so I wont hold my breath!	Yes	ABSOLUTELY! The move to SEN status is the best news I have heard in this sorry saga	St Gregory's school was fantastic school that hit an iceberg and the holes were papered over until OFSTED took off the plasters... My son had x excellent years there and in the last x, the Head Mr Perry and his staff were exemplary and must be commended for their efforts and belief in all the children. The educational provision was not in question, such a sad day to see a school close - lets turn this into a positive and celebrate it with a new SEN school! I want to say that Bollington is a caring community and if you canvassed the residents, they would also support this change. <i>(dates/years removed to anonymise the response)</i>



19	19/10/2023	Parent of pupil no longer at the school	No	Bollington needs school places. The site should remain as a school, it is well located and has good facilities. It used to be a real asset to the community and could continue to be with support and investment.	Yes	N/A	Yes	N/A	
20	19/10/2023	Parent of pupil no longer at the school	No	Bollington is an ever growing town, with more new family homes being built every year. Following St Gregory's ofsted report last year the majority of pupils have left to attend other local schools. This means class sizes are now at capacity or over capacity in Bollington and Bollington children will be less likely to secure places in the town where they live and be forced to travel to Macclesfield for school. St Gregprys is also a catholic school and as such it provides a catholic education that other local schools do not offer.	Yes	St Gregory's was a small local school which was thriving a few years ago and both my children attended and had a very happy primary school life. I strongly believe that the school has been let down by poor leadership within and support from the diocese and Cheshire east following their poor ofsted. They were left to fail and as a result a wonderful, small family school has been destroyed. There is definitely demand for another school in Bollington and I believe efforts should be made to ensure it is supported to succeed.	No	Whilst the site remaining as a school is preferable to it being sold to developers and I understand the need for more provision for SEND children, I strongly believe that the needs of the town's children should be of paramount importance. We need to ensure that every child in Bollington can be offered a place in a Bollington school. If this can be ensured and a SEND school is viable, the parking and infrastructure for this must be given proper consideration as it sounds as though many people will be travelling into Bollington at rush hour, increasing pressure on already busy roads.	With Dean Valley school situated only a few metres down the road, one option may be to merge St Gregory's and Dean Valley allowing the both sites to be used as junior and middle schools. School pupil numbers could be increased and SEND provision included in this to ensure SEND children continue to receive mainstream schooling as appropriate.
21		Parent of pupil no longer at the school	No	because it provided a good standard of education for both of our children and because we chose it for its nurturing, friendly environment. We still feel that the Ofsted report, while it highlighted some areas for improvement which we were in agreement with, went entirely too far in its assessment of the school as failing. As a result, Bollington has lost a valuable and much-needed education provider.	yes	It is purpose-built and is in an ideal location.	yes	there is an increasing need for specialised teaching as more children are entering the education system with learning difficulties.	Only that we feel that St Gregory's was let down by a variety of agencies and that many of the staff were wonderful, committed and caring individuals who helped our children to develop into well-rounded, happy learners throughout their primary years. It would be a great shame to lose the site as an education provider and so we endorse the change of use to a specialist teaching school for children with learning difficulties.
22		Staff	N/A	I cannot answer this question YES or NO. Under the current circumstances, I acknowledge and accept that it is not financially viable for the school to remain open. However, the situation should not have been allowed to get to this stage. Saint Gregory's could have turned things around at a much earlier stage had the situation been managed differently. Families did not want to leave – falling numbers had nothing to do with the inadequate Ofsted, they were as a result of the uncertainty re: the future of the school – especially as the diocese made clear that they had no intention of appointing a substantive headteacher after John Daley's departure in January 2022. Parents have moved their children out of fear and panic. They have told us their children 'are not being challenged in their learning like they were at Saint Gregory's'. Our children did achieve well. We have not been supported and suitable leadership has not been sought in a timely manner.		It would obviously be better for the site to remain as a school. It is a well-loved home for learning and it would be devastating for the grounds and the wildlife to be disturbed. However, it begs the question whether this has been the intention for some time. It feels as though we have been earmarked, targeted and left to die a slow and painful death instead of somebody having the gumption to be honest and direct from the outset.		If this is the only option for the school to remain 'intact' then yes. However, surely there could've been some compromise or joined up thinking here ... keeping the Catholic Mainstream School open whilst sharing the site with Specialist Provision?	<i>Comments removed to anonymise this respondent</i>

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## St Gregory's Catholic Primary School Statutory Representation Feedback

### Overview

In accordance with the guidance from Department for Education, the statutory public notice regarding the proposed closure of St Gregory's Catholic Primary School was published in Macclesfield Express on 25 October 2023.

The 4-week representation period ran from **25 October till 26 November 2023**.

Information was made available on the Cheshire East Council website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese, neighbouring parish and town councils and neighbouring local authorities. Information was emailed to all local schools and schools were issued with letters for distribution to their staff, governors and parents.

### Responses

During the representation period there were **767** responses received.

Some of the key issues raised are summarised below: -

Q1 Do you agree with St Gregory's Catholic Primary School closing?	Responses			Total
	Yes	No	No View	
	322	305	140	

Summary of key issues raised from Q1 are detailed below: -

- Increased housing in the Bollington area, there will be a growing demand for places going forward.
- Diversity of choice needs to be maintained. Catholic schools are vitally important in the community.
- Not enough capacity in the other Bollington schools need the places at St Gregory's
- St Gregory's is a big part of Bollington history, the right amount of funding and people could change the fate of the school.
- More should have been done to support the school.
- With so few children the school it is no longer viable.
- People have lost faith in the school thus a change is needed.

Although the majority of respondents said a clear yes or no, the overwhelming responses from comments received against question 1 and question 2 was that the school should remain as a school setting.

Q2 Do you agree that the site should remain as a School?	Responses			
	Yes	No	No View	Total
	739	12	16	767

Summary of key issues raised from Q2 are detailed below: -

- The 100 places lost need to be added to other mainstream schools across Macclesfield.
- School should remain a school even if not associated with the Diocese.
- No school should close.
- Shortage of school places across Bollington but school needs a new start.
- The worry is the site would be sold for housing.
- School has been let down by the authority and the Diocese, not enough support given.
- There are memorial sites on this site for past pupils they should remain there.
- Closing the school would result in even more children travelling out of Bollington for mainstream schooling.
- It should remain as a school.
- Buildings already have the infrastructure for a school and great playing field.
- The site would be best used as a specialist school.
- The school is a perfect site for building on to establish an SEN school.
- Another mainstream school not necessary, with 3 other schools in Bollington the need is met.

Q3 Do you agree to the change of use from a mainstream primary into a Special Education Needs primary school to meet the education needs of Cheshire East children?	Responses			
	Yes	No	No View	Total
	740	17	10	767

Summary of key issues raised from Q3 are detailed below: -

- Peak school times there is already traffic chaos. Assume majority of SEN pupils would be from outside of Bollington and would need cars or taxi's adding to the traffic congestion.
- Should be a primary school as it always has been.
- Needs to be compromise to cater for local children and SEN.
- Clarity of SEN provision needed and careful consideration applied.
- Where possible SEN pupils should be in a mainstream school with their peers, not secluded in a specialist school.
- Need more SEN places, too many children have to travel out of Cheshire East to get a specialist place.
- Does seem a rising demand for SEN provision.
- Good use of existing educational buildings
- Bollington and surrounding area in desperate need of more SEN provision

<b>Q4 Do you have any further comments that you would like captured in this consultation.</b>	<b>Responses</b>	
	<b>168 comments received</b>	

**Summary of key issues raised from Q4 are detailed below: -**

- Already enough traffic chaos, children travelling from all over Cheshire would add to the parking and congestion problems.
- If it becomes an SEN school need enough parking for the additional cars and taxi's
- Need to maintain a Catholic school. Bollington children should be able to access a local catholic school and not have to travel.
- More publicity and student participation to allow further 6 months to review progress.
- Government and local funding is inadequate. School has been there a long time and needs to stay open.
- Don't close the school without increasing places at the other Bollington schools.
- Expanding village with more housing, need to maintain the primary school places.
- Poor management and lack of support over the years have led to the school's demise.
- Do not allow the land to be sold for housing.

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**STATUTORY NOTICE****PROPOSAL TO CLOSE ST GREGORY'S CATHOLIC PRIMARY SCHOOL, BOLLINGTON, MACCLESFIELD**

Notice is given in accordance with section 15 (1) of the Education and Inspections Act 2006 that Cheshire East Council intends to close St Gregory's Catholic Primary School, Albert Road, Bollington, Macclesfield, SK10 5HS, on 31 December 2023.

St Gregory's Catholic Primary School has the lowest pupil numbers of any school in Cheshire East. There are currently 6 children on roll in Reception, Years 1, 4 and 5 and to date nobody has expressed a 1st preference for their child to start in Reception for September 2024. Numbers of pupils in the school are now so low with no predicted demand for an increase in pupils in the short, medium, or long term.

The most recent Ofsted inspection (date 09/02/2022) judged the school to be "Inadequate". The Ofsted report identified many weaknesses and consequently a decision was made to seek an academy sponsor for the school which has been unsuccessful.

Children can be more effectively educated in a larger, more viable establishment that can offer a broader curriculum. There are schools within a reasonable travelling distance judged 'Good' by Ofsted that are capable of delivering such a curriculum. Consequently, the preferred option of the Council is to close St Gregory's Catholic Primary School on 31 December 2023 with the pupils currently on roll being enrolled and educated at alternative schools.

This Notice is an extract from the full proposal. Copies of the complete proposal can be obtained from the Council's website: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) or via an email request to: [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk)

The representation period runs from Wednesday 25 October 2023 until 11.59 p.m. on Sunday 26 November 2023. Any person may submit representations, which can be objections as well as expressions of support on the proposal. Please submit your comments by completing the online survey at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) , or email to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk).

Signed: Deborah Woodcock

Executive Director of Children's Services

**Publication Date: 25 October 2023**

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**Proposal for the Closure of  
St Gregory's Catholic Primary School,  
Macclesfield**

**Consultation  
25 October 2023 – 26 November 2023**

**PUBLIC CONSULTATION DOCUMENT**

Jeremy Keeble  
Interim Head of Education  
Cheshire East Borough Council  
Westfields, Sandbach  
Cheshire  
CW11 1HZ

October 2023

## **ABOUT THIS CONSULTATION**

Cheshire East Council and the Diocese of Shrewsbury are consulting on the closure of St Gregory's Catholic Primary School, Macclesfield.

St Gregory's is a Voluntary Aided School which is funded by the Government and maintained by the Local Authority but also receives financial contributions from the Diocese. The site is owned by both the Diocese and Cheshire East Council.

St Gregory's Catholic Primary School is a small primary school based in the village of Bollington on the outskirts of the town of Macclesfield. The school caters for ages 4 -11 with an admission number of 15 pupils per year group and an overall capacity for 105. There has been a decline in pupil numbers over the past five years (2019-2023) with only 1 child being admitted to Reception 2023. Based on the most recent pupil census, October 2023, there are 6 pupils currently on roll which means the school has 94% surplus places.

Schools are primarily funded as a result of the number of pupils on roll. This funding pays for the Headteacher, class teachers, teaching assistants, other things that support a pupil with their learning, as well as the things that keep the school running. Fewer pupils means less funding. With falling numbers on roll, the funding dips below the level needed, and a school may become unviable meaning it cannot financially support itself.

St Gregory's Catholic Primary School received an Ofsted 'Inadequate' judgement following a S5 Inspection in February 2022 this resulted in the school being subject to an Academy Order. A sponsored academy solution from suitable Diocesan Academy Trusts was sought. This solution has not been secured as consulted Trusts have assessed the school as unviable in the longer term.

## **WHO IS THIS CONSULTATION FOR**

This is for anyone with a role or interest in schools in the area surrounding St Gregory's Catholic Primary School or their local community. It may include:

- Parent/Carers
- Staff and Governing Body
- Ward Members and Parish Councils
- Local MP
- Diocesan's
- Other local schools including Academies.
- Neighbouring Local Authorities
- Other interested parties

**TIMETABLE**

	<b>Event</b>	<b>Dates</b>
Stage 1	Pre – Publication Consultation- already taken place	2 to 22 October 2023
Stage 2	Publication of Proposal - Public Notice local press	25 October 2023
Stage 3	Representation Period	25 October 2023 to 26 November 2023
Stage 4	Decision Making - Children and Families Committee meeting	11 December 2023
Stage 5	Implementation	This will follow Committee Decision

**HOW TO FEEDBACK YOUR VIEWS**

Before any decisions can be taken, the Local Authority would like to hear your views.

You can:-

- Complete our electronic survey on the Council's website at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk).
- Complete the feedback form and email it to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk)

Your personal details will be withheld but any feedback provided will be collated to inform decision-making and will become a public record and published on the Council's website.

At the end of the representation period, a report will be prepared and presented to the Children and Families Committee on 11 December 2023.

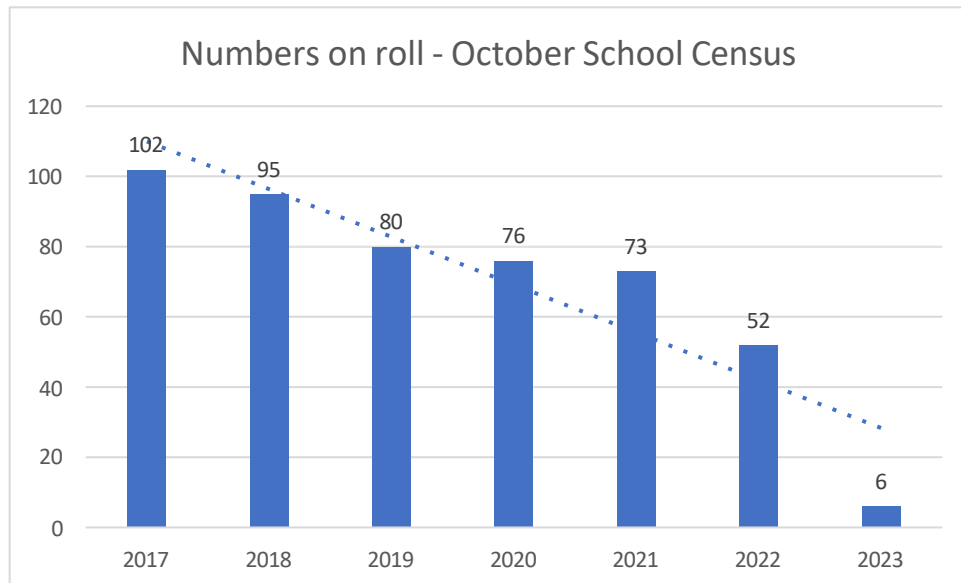
**BACKGROUND**

The decision to propose closure of the school is not one taken lightly. Section 15 of the Education and Inspections Act (EIA) 2006 states that only the Council can propose the closure of a voluntary aided school in this situation.

As previously mentioned the school has been subject to declining numbers on roll since 2019. In October 2023 the school had 6 pupils on roll as illustrated in the table below.

OCTOBER 2023 CENSUS		Number of pupils on roll								NET CAP @ May 2023	Surplus places %
	<b>PAN SEP 2023</b>	<b>R</b>	<b>Y1</b>	<b>Y2</b>	<b>Y3</b>	<b>Y4</b>	<b>Y5</b>	<b>Y6</b>	<b>Total</b>		
<b>St Gregory's Catholic Primary School</b>	<b>15</b>	1	2	0	0	2	1	0	6	<b>105</b>	94.3%

Pupil numbers have been falling steadily for a number of years, however pupil numbers in October 2023 mark their lowest point in 7 years as illustrated in the table below.



In February 2022, the School received an Ofsted Inadequate. An inadequate Ofsted judgement requires the local authority to produce a 'Statement of Action' which was approved by Ofsted. The solution for an inadequate Ofsted judgement is a sponsored academy route and as a Diocesan school, would require alignment to Diocesan policies in seeking an appropriate trust for the school to join. This solution has not been secured as consulted trusts have assessed the school as unviable in the longer term.

As of March 22, the school had 72 pupils in school showing that it had vacancies of 32% across all age ranges.

There were also places in other local schools across the Bollington planning area as well as in Macclesfield primary schools.

A parents' forum was established and meetings stated that the focus of the local authority support was to address those areas identified as inadequate by Ofsted – this focussed on developing a stronger curriculum offer.

The local authority approached a successful local trust who agreed to provide interim leadership and packages of support to accelerate progress across the school.

Ongoing meetings took place between the Diocese, local authority and the Northwest Regional Commissioner's team to seek an appropriate trust for the school to join.

During this academic year as from September 2022, pupil numbers continued to decrease. The school operated in three classes but as numbers fell further, the structure as from September 2023 was two classes with an estimated school population of around 22.

Parental feedback has been that whilst there has been significant support for the current interim leader and the curriculum work which has been undertaken, due to the falling numbers and the ability to maintain friendship groups and pastoral/peer support, parents have sourced alternative school places in other local schools.

## **REASONS FOR CLOSING A SCHOOL**

The consideration and methodology for closing a school is based upon DfE guidance. Identified reasons for closing a school include:

- a. 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.
- b. It has been judged inadequate by Ofsted and the Secretary of State has revoked the academy order.
- c. It is no longer considered viable.

## **OTHER OPTIONS CONSIDERED**

The information below sets out a series of options: -

### **1. Do nothing**

- The numbers in the school are too small to allow the school to be financially sustainable and therefore the deficit budget position for the school would continue grow.
- The local authority could not sustain a school which had a three-year deficit budget without a viable solution and therefore financial risk would continue to increase.
- Small numbers in the school impacts significantly on the risk to provide a good quality education for attending pupils.

### **2. To seek a sponsored academy solution for the school**

- A due diligence process has been followed with two Diocesan trusts which has not seen this school as sustainable in the longer term due primarily to a fall in pupil numbers.
- Increasing risks due to the preferred national solution for the school not being available.

### **3. To consider alternative uses for the site or alternative educational provisions such as a SEND school.**

- Such options will be considered as part of a separate formal consultation process and will follow the DfE's guidance.

## **WHEN WOULD THE SCHOOL CLOSE**

Should a decision be made to close the school, implementation of the closure should start as soon as possible. School closures are usually carried out over 1,2, or 3 academic years but the current low number on roll means that this could be facilitated earlier.

Consideration is given to a number of factors including:

- Assuring a good transition for pupils to move to a nearby school.
- The welfare of pupils some of which may have additional needs.
- The welfare of staff at the school,
- The continued ability to provide good education to the pupils during transition.
- The use of public funds.

The council has considered options available and is intending that closure of the school will take place on 31 December 2023.

### **DISPLACED PUPILS**

All parents of existing pupils have been contacted with details of local schools with vacancies and offered support with applications taking into consideration parental preferences. Where children have an Education and Health Care Plan the Admissions team is working alongside the Special Educational Needs Team to find an alternative school that can meet the child's needs. We will meet with local schools to ensure that all children have an alternative school place.

## Equality Impact Assessment (EIA)

### Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine ‘protected characteristics’ and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

### **Applying the equality duty to engagement**

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as ‘hard to reach’ but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.



## Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

<b>Proposal Title</b>	Proposed Closure of St Gregory's Catholic Primary School, Bollington
<b>Date of Assessment</b>	23 November 2023
<b>Assessment Lead Officer Name</b>	Jeremy Keeble, Interim Head of Education
<b>Directorate/Service</b>	People Directorate / Children and Families
<b>Details of the service, service change, decommissioning of the service, strategy, function or procedure.</b>	<p>Cheshire East Council and the Diocese of Shrewsbury have consulted on the closure of St Gregory's Catholic Primary School, Macclesfield with effect from 31 December 2023.</p> <p>St Gregory's is a Voluntary Aided School which is funded by the Government and maintained by the Local Authority but also receives financial contributions from the Diocese. The site is owned by both the Diocese and Cheshire East Council. St Gregory's Catholic Primary School is a small primary school based in the village of Bollington on the outskirts of the town of Macclesfield. The school caters for ages 4 -11 with an admission number of 15 pupils per year group and an overall capacity for 105. There has been a decline in pupil numbers over the past five years (2019-2023) with only 1 child being admitted to Reception 2023. Based on the October 2023 pupil census, there were 5 pupils on roll, however, as at 23 November that number has reduced to 3 which means the school has 97% surplus places.</p> <p>Schools are primarily funded as a result of the number of pupils on roll. This funding pays for the Headteacher, class teachers, teaching assistants, other things that support a pupil with their learning, as well as the things that keep the school running. Fewer pupils means less funding. With falling numbers on roll, the funding dips below the level needed, and a school may become unviable meaning it cannot financially support itself.</p> <p>St Gregory's Catholic Primary School received an Ofsted 'Inadequate' judgement following a S5 Inspection in February 2022 this resulted in the school being subject to an Academy Order. A sponsored academy solution from suitable Diocesan Academy Trusts was sought. This solution has not been secured as consulted Trusts have assessed the school as unviable in the longer term.</p>

<b>Who is Affected?</b>	<p>People potentially affected by the proposal could include: -</p> <ul style="list-style-type: none"> <li>• Parents / carers of the pupils currently attending the school.</li> <li>• Future parents / carers who may have chosen the school for their child to attend.</li> <li>• Staff of the school</li> <li>• Governors of the school</li> <li>• Neighboring schools</li> <li>• Ward members and Parish Councils</li> <li>• Local community</li> </ul>
<b>Links and impact on other services, strategies, functions or procedures.</b>	<p>The proposal links to overall educational provision across Bollington and across Macclesfield. Although St Gregory's is the only Catholic Faith school within Bollington village, there are 2 other Catholic denominational schools in Macclesfield both have adequate surplus places to offer the 3 pupils currently on roll at St Gregory's places should the parents express a preference for either school.</p> <p>In addition, there are 3 other schools in Bollington which have taken several pupils from St Gregory's during the last academic year. The Local Authority are still in negotiations with the parents of the 3 remaining pupils regarding alternative schools.</p>

<p><b>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the <a href="#">Public Sector Equality Duty</a>?</b></p>	<p>The Public Sector Equality Duty is a legal requirement contained within the Equality Act 2010 which requires public authorities and others carrying out public functions to have due regard to the need to:-</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation</li> <li>• Advance equality of opportunity between people who share a <a href="#">protected characteristic</a> and those who do not</li> <li>• Foster good relations between people who share a <a href="#">protected characteristic</a> and those who do not</li> </ul> <p>The above aims may be more relevant to some proposals than others, and they may be more relevant to some <a href="#">protected characteristics</a> than others. However, it is advisable that the proposal be assessed against each of the above aims.</p> <p>School Organisation Team, Admissions Team and SEND Team are working closely with all the local schools to ensure the local authority can meet its statutory duty to provide sufficient and suitable places for all Cheshire East children and young people requiring a school place.</p>
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## Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
<p><b>Information you used</b></p>	<p>The local authority, through its officers within education services, has regarded St Gregory's Catholic Primary School as a 'school causing concern' for a considerable period, this has been due to its challenges in securing sufficient pupils on roll to allow for a sustainable and affordable budget to be set. Added to these concerns were the quality of leadership in the school and the resulting outcomes for children attending the school.</p> <p>In early February 2022, based upon the concerns over the school, the local authority initiated one of its intervention powers linked to 'schools causing concern', and issued a pre-warning letter to the governing board of the school. Unrelated to this, in February 2022 the school also received a full Section 5 inspection by Ofsted which judged overall that the school provided an inadequate quality of education for the pupils attending.</p> <p>The local authority was required to complete a 'statement of action' following an inadequate Ofsted judgement and this was approved by</p>

	<p>Ofsted in terms of a rapid improvement plan. This plan was based upon the national expectation that the school would now join an academy trust as a sponsored school which would assist in providing the appropriate levels of support to improve the quality of education. Being a Diocesan school, such a trust would need to meet the requirements of the Diocesan of Shrewsbury.</p> <p>Following extensive meetings with Diocesan officers and members of the Northwest Regional Director's team, it became clear that the preferred local Diocesan academy trust did not consider this school a viable option in terms of its financial position; this was primarily due to the ongoing fall in pupil numbers.</p> <p>At the ongoing meetings referred to above, the position was reached that as no suitable trust option was available, that careful consideration needed to be given to the sustainability of this school and that structured consultation would need to be considered which could include the option to close the school. This is a formal staged process using Department of Education statutory guidance. Opening and closing maintained schools' Statutory guidance for proposer and decision makers (January 2023) ('the statutory guidance')– see below.</p> <p>Children and Families Committee would be the overall decision maker using this guidance.</p> <p>A parents' meeting was held at the school on 10 July 2023 to inform the local community that this structured process was to be considered by committee in September. A letter was also sent to all parents and carers of pupils attending the school before the end of term to again provide information on this theme.</p> <p>At the Children and Families Committee on 18 September 2023 a paper was presented to Committee by the Cheshire East Director of Education, Strong Start and Integration, Claire Williamson. The Committee approved the commencement of the structured process as outlined in the statutory guidance 'Opening, closing and making changes to schools' Opening, closing and making changes to schools - regarding the future viability of St Gregory's Catholic Primary School.</p>
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<b>Gaps in your Information</b>	<p>In line with the DfE guidance, stage 1, the pre-consultation with parents and carers, staff, elected members and the Diocese of Shrewsbury took place for three weeks from 2 October 2023 to 22 October 2023.</p> <p>During this pre consultation period 21 responses were received, plus 1 who advised they could not answer the question.</p> <ul style="list-style-type: none"> <li>• 11 responses said they agree with the proposal to close St Gregory's Catholic Primary School</li> <li>• 10 responses said they do not agree with the proposal to close St Gregory's Catholic primary school.</li> <li>• 1 of the responders advised that they could not answer this question.</li> <li>• The majority of the responders agreed that due to the low numbers/financial situation the school is no longer viable.</li> </ul> <p>Feedback received has been analysed and included in the report to the Children and Families Committee.</p>
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### 3. What did people tell you?

What did people tell you	What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?
<b>Details and dates of the consultation/s and/or engagement activities</b>	<p>Pre consultation was held with Parents and Carers, Staff, Elected members and the Diocese of Shrewsbury. The consultation took place for three weeks from 2 October 2023 to 22 October 2023 – 22 responses were received during this 3-week consultation period which informed the decision to proceed to the next stage of the statutory process.</p> <p>In line with statutory guidance issued by the Department for Education a public notice was published in the Macclesfield Express on 25 October and the 4-week representation period will run from 25 October to 26 November 2023. During this period anyone may respond to the proposal either to support or object to the proposal.</p> <p>Information was made available on the County website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese, neighbouring parish and town councils and neighbouring local authorities. Information was emailed to local schools and schools were issued with letters for distribution to their staff, governors and parents.</p> <p>Human Resource (HR) officers have been regularly involved in actions taken to date regarding staffing decisions within the school. A meeting with</p>

	<p>staff attended by the Claire Williamson and HR was held at school on 2<sup>nd</sup> October. The Trade Unions have been notified and a meeting held with them on 4<sup>th</sup> October. A staff formal consultation period has commenced with a formal consultation meeting held on 2<sup>nd</sup> November, attended by Jeremy Keeble, HR and Trade Union Representatives. The formal consultation period ran until 23<sup>rd</sup> November. 1:1 consultation meeting with staff have been held week commencing 6<sup>th</sup> November. Individual consultation with staff will continue up until a decision is made on 11<sup>th</sup> December 2023.</p>
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<b>Gaps in Consultation and engagement feedback</b>	<p>Following pre consultation, and in accordance with the guidance issued by the Department for Education, a statutory public notice was published in the Macclesfield Express on the 25 October 2023. The 4-week representation period ran from 25 October until 26 November 2023. Information was made available on the Councils’ website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese and neighbouring parish and town councils and neighbouring local authorities. Information was emailed to local schools and schools were issued with letters for distribution to their staff, governors and parents. The council has received 767 responses.</p>
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#### 4. Review of information, consultation feedback and equality analysis

<b>Protected characteristics groups from the <a href="#">Equality Act 2010</a></b>	<b>What do you know?</b> Summary of information used to inform the proposal	<b>What did people tell you?</b> Summary of customer and/or staff feedback	<b>What does this mean?</b> Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
<b>Age</b>	The proposal will impact on Primary Aged pupils living in the Bollington Area	No feedback comments referred to age	
<b>Disability</b>	The school admitted pupils with SEND needs. Admissions and SEND teams are consulting with parents and local schools to find suitable places in the local area	The consultation feedback from parents was that the building should continue to be used for educational purposes and a SEND school was much needed in the area. Comments have included that that the situation is desperate in Cheshire East for SEN places and therefore supports the reuse of the school as a Special School. Also, Children would benefit from having a local provision for SEND. Children are being failed by not having enough specialist places.	One of the options been considered, should the decision be made to close the school, is to use the site to open a Special School in its place. This would result in more places been available for pupils with SEND needs and not having to travel out of Macclesfield to access special provision. If this was to be progressed as an option a separate statutory process would need to be initiated.
<b>Gender reassignment</b>	The school admits pupils making no reference to gender	No feedback comments referred to gender	
<b>Pregnancy and maternity</b>	The school admitted primary aged pupils and pregnancy and maternity and therefore this protected characteristic is not impacted.	No feedback comments referred to pregnancy or maternity	
<b>Race/ethnicity</b>	The school admits pupils making no reference to race or ethnicity	No feedback comments referred to race.	



<b>Religion or belief</b>	The proposal is to close St Gregory's Catholic Primary School, therefore removing parental choice of a catholic education in Bollington.	In total over 800 comments were made against the 4 questions asked. 21 comments referred to keeping the school as Catholic to maintain religious diversity in the area	There are 2 alternative Catholic Primary schools within 2 miles of St Gregory's, both schools have adequate surplus place to accommodate the children still on roll at the school.
<b>Sex</b>	The school admits pupils making no reference to sex.	No feedback comments made reference to sex.	
<b>Sexual orientation</b>	The school admits pupils making no reference to sexual orientation	No feedback comments made reference to sexual orientation.	
<b>Marriage and civil partnership</b>	The school admitted primary aged pupils and pregnancy and maternity and therefore this protected characteristic is not impacted	No feedback comments made reference to marriage or civil partnership.	

## 5. Justification, Mitigation and Actions

Mitigation	What can you do? Actions to mitigate any negative impacts or further enhance positive impacts
<p>Please provide justification for the proposal if negative impacts have been identified?</p> <p>Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p> <p>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p> <p>Please include details of how positive impacts could be further enhanced, if possible?</p>	<p>Alternative Options were considered before consultation on proposed closure commenced.</p> <p>Option - Do nothing Impact - The numbers in the school are too small to allow the school to be financially sustainable and therefore the deficit budget position for the school would continue grow. Risk - The local authority could not sustain a school which had a three-year deficit budget without a viable solution and therefore financial risk would continue to increase. Small numbers in the school impacts significantly on the risk to provide a good quality education for attending pupils.</p> <p>Option - To seek a sponsored academy solution for the school. Impact - A due diligence process has been followed with two Diocesan trusts which has not seen this school as sustainable in the longer term due primarily to a fall in pupil numbers. Risk - Increasing risks due to the preferred national solution for the school not being available.</p> <p>Option - To consider alternative uses for the site or alternative educational provisions such as a SEND school. Impact - Such options will be considered separately as part of the formal consultation process – opening and closing schools. Risk - Each risk will need to be considered by committee following any future consultation.</p>


## 6. Monitoring and Review -

<b>Monitoring and review</b>	<b>How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA</b>
<b>Details of monitoring activities</b>	Risks will be monitored as part of the staged process as outline in the national guidance.
<b>Date and responsible officer for the review of the EIA</b>	Claire Williamson will ensure this is reviewed in May 2024, 6 months after the decision is made.

## 7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

<b>Name</b>	Claire Williamson
<b>Signature</b>	
<b>Date</b>	27/11/23

## 8. Help and Support

For support and advice please contact [EqualityandInclusion@cheshireeast.gov.uk](mailto:EqualityandInclusion@cheshireeast.gov.uk)

OFFICIAL

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Issue	No. Staff Comments
<b>Diocese</b> -Feeling that diocese hasn't done enough to support the school  -Lack of transparency about future for the school e.g no intention to replace previous Head with a permanent H/T but this wasn't shared with staff	4
<b>Communication</b> -Needed earlier more transparent communication from an earlier stage. If communication had been earlier this would have fell more into the timeframe outlined in the 'Opening and Closing Maintained Schools' Statutory Guidance.  -Anxious as to how they will be advised of the committee meeting. Do not want to find this out through social media. Finding out the 31 <sup>st</sup> December date in local paper disrespectful  -Support from colleagues at Aspire was recognised and appreciated	2  3  1
<b>Community</b> -Damage caused to parents, children and community. Lack of respect to parents and staff by not being transparent at an earlier stage. Situation could have been turned round. Parents lost faith	3
<b>Financial Viability</b> -Not now financially viable but this could have been different if dealt with at an earlier stage	4

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OPEN

## **Briefing Report**

### **Children and Families Committee**

**11 December 2023**

**Basford East, Shavington – Delay to the opening of the new primary school.**

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**Report of: Deborah Woodcock, Executive Director Children's Services**

**Report Reference No: CF/35/23-24**

### **Purpose of Report**

- 1 The purpose of this report is to provide the Children and Families Committee with an update on the proposed new 1FE (210 places) primary free school which will be located on the Basford East housing development, Shavington.
- 2 This report is not seeking a decision but is to notify Children and Families Committee of the delay to the opening of the new primary school on the Basford East development. The scheme delay is due the housing developer entering into administration.

### **Executive Summary**

- 3 The new school was due to open in September 2025 but due to unforeseen circumstances, beyond the Authority's control, at this stage we anticipate the opening of the school is likely to be delayed until 2026.
- 4 This proposal incorporates elements of the Corporate Plan 2021- 2025 in that it will support all children to have the best start in life, increase opportunities for all children and young adults with additional needs, ensure all children have a high quality, enjoyable education that enables them to achieve their full potential.

- 5 The Basford East Development is a strategic site within the Cheshire East Council Local Plan for 850 new dwellings with the inclusion of a new primary school. The actual planned number of dwellings is 815.
- 6 The development is expected to have a significant impact on education provision in the local area. The developers have entered into a Section 106 planning agreement which has secured the provision of a new primary school, which included the land and a monetary contribution from the developers towards the partial build costs.

## RECOMMENDATIONS

The Children and Families Committee is recommended to:

1. Note the delay for the opening new school at Basford East, Shavington.

## Background

- 7 The housing development at Basford East is to be provided by the developers in a number of phases. Phase 1 Basford East, planning reference 14/4025N, is for a total of 490 dwellings, with a Section 106 contribution of £1.568m towards the build costs of the new school.
- 8 Phase 2 Basford East, planning reference 15/1537N, is for a total of 325 dwellings, with a Section 106 contribution of £960,000 towards the build costs of the new school.
- 9 As part of our strategic vision and statutory duty under section 14 Education Act 1996 to ensure that there are sufficient places in their area. The increase in new dwellings in the areas has identified the requirement for a new primary school to serve the Shavington planning area. This aligns with our overarching intent that where large housing developments are progressed, families can, wherever possible, attend a local school in the heart of a community which promotes the ability to attend a school within a safe walking distance.
- 10 A report was previously considered by the Children and Families Committee on 10 January 2022 where approval to progress with the free school presumption process to open a new primary school in Basford East, Shavington was sought. For information a copy of that



report and outcome of that meeting can be assessed in the background papers link at the end of this report.

- 11 The site for the new school is located within Phase 1 of the housing development, and work on this site had started with approximately 10 houses under construction but have not been completed.
- 12 Phase 2 of the housing development is at a stage where the services and groundwork are being completed. No houses have been built. This site is owned by Taylor Wimpey so no link to Phase 1.
- 13 In April 2023 the Council were informed that the developer, Lane End Developments Construction Ltd had gone into administration. Consequently, Phase 1 of the development, the site where the new school was due to be situated, has been closed, no contractors are on site and all construction has stopped. The landowner is currently Onward Build Limited.
- 14 No detailed site investigations have been undertaken due to the inaccessibility of the site and the necessary due diligence required cannot be progressed at this stage.
- 15 Due to the issue as detailed section 13 above, data analysis was required to determine the current provision of places in the local schools and to assess the impact on future provision of school places given that the new school was now very unlikely to be completed for September 2025.
- 16 Based on the May 2023 school census, there are currently 4.5% surplus places across the 5 schools within the Shavington Planning Area. However, this is not a consistent percentage for each school and the range is from 16.7% at 1 school to only 1.2% at the school with the lowest surplus capacity. It is also worth noting that in July 247 pupils left the primary schools and current available information indicates 221 new Reception pupils started in September 2023, against a possible 240 places thus maintaining the overall surplus places.
- 17 Using the current 2023 Forecasts the data suggests that the opening of the school could be delayed until 2026 as there are sufficient reception places across the schools to cater for the predicted intake of pupils. However, there may be an issue if any in year applications are received, the provision of the new school would not have alleviated this problem as it would probably have opened with just Reception Class as per the preferred DfE model.

## **Briefing Information**

- 18 This report is not seeking a decision but is to provide an update on the scheme and notify Children and Families Committee of the delay to the opening of the new primary school on the Basford East development. The scheme delay is due the developer going into administration as detailed in section 13 of this report.
- 19 Cheshire East will notify local families of the delay and will issue a notification on the council's school organisation webpage.
- 20 An update in 6 months (June 2024) will be provided to committee.

## **Implications and Comments**

### **Monitoring Officer/Legal**

- 21 The Council when making decisions need to ensure that the resultant decision is made reasonably and in accordance with the Wednesbury Principles.
- 22 Delaying the scheme will enable any outstanding issues to be fully resolved before the Council commits funding to the construction of the building. It will provide the landowners with sufficient time to find new contractors to develop the site, sell the properties and secure sufficient funds to enable the landowner to meet its obligations under the s106 agreements which it currently would not be able to do.

### **Section 151 Officer/Finance**

- 23 The Council approved an £8.0m budget for the new primary school at Basford in the MTFS 2023/24 on the 22 February 2023. The scheme was to be funded by the Section 106 developer contributions and Basic Need Grant.
- 24 There were two S106's agreements that were to fund the scheme, Phase 1 Basford East, planning reference 14/4025N, is for a total of 490 dwellings, with a Section 106 contribution of £1.568m towards the build costs of the new school.
- 25 Phase 2 Basford East, planning reference 15/1537N, is for a total of 325 dwellings, with a Section 106 contribution of £960,000 towards the build costs of the new school. In total £2,528,000.
- 26 As the developer for Phase 1 has now gone into administration the S106 funding of £1.568m will now not be received, there is a possibility if the land is sold to a viable company that they would take on the obligations of the S106 and pay the sum to the Council, but there are no guarantees at this stage.

- 27 As the scheme has been delayed there is a likelihood that construction costs will have increased by the time the scheme commences again and therefore if there is a requirement for an increase in the £8.0m budget, funding will have to be found within the existing Children & Families approved capital programme, which would have to include any shortfall in S106 funding.
- 28 This could lead to the scheme being deemed no longer affordable and alternative options to increase capacity in existing schools may have to be considered to keep the Council within their existing budget envelope.
- 29 Further checks on the financial standing of the landowner Onward Build Limited would be advisable also before recommencing the project.

## **Policy**

- 29 Local authorities are under a statutory duty to ensure sufficiency of school places in their area (Section 14 of the Education Act 1996) and, the percentage of parents receiving one of their three preferences has remained very strong. On National Offer Day 2023 98.9% of Cheshire East residents received an offer of a Reception place for a preference school and 93.6% received an offer of their first preference school. Following Offer Day these percentages will have increased where places had been declined and we were able to offer a higher preference.

## **Equality, Diversity and Inclusion**

- 30 Equality Impact Assessments are completed informally and formally to determine the varying needs of learners and their families to be able to access schools. Such factors are built into all stages of the progression of a scheme.
- 31 The Equality Impact Assessment has been completed and is available on the website.

## **Human Resources**

- 32 There are no human resources implications for Cheshire East Council.

## **Risk Management**

- 33 If there is a shortage of places for Cheshire East children resident in the Shavington and Weston areas who have been unsuccessful at securing a place at their preferred local school the alternative Cheshire East

school offered may be more than 2 miles away in which case transport costs may be incurred by the local authority.

- 34 Inflation – Whilst it is recognised that the overall inflation rate has been certain material costs due to global supply issues and increased manufacturing costs are still showing significant increase and these will impact on the overall costs.
- 35 Force Majeure – The global Covid pandemic has identified that there can be some risks that on impact cannot be mitigated against and will inevitably cause some delay, disruption, and any additional costs.
- 36 Pupil places for the area will be closely monitored and if necessary additional short-term options including temporary accommodation may need to be considered.
- 37 There is a risk management plan in place and this will continue to be monitored as part of the Project Management of this scheme.

### **Rural Communities**

- 38 There are no direct implications for rural communities although providing sufficient places in rural schools will ensure that pupils can stay in their local community.

### **Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)**

- 39 Providing sufficient school places for all children and young people resident in our area is a statutory duty.

### **Public Health**

- 40 There are no direct implications for public health, however providing sufficient places in their local community could improve the child's social and emotional wellbeing.
- 41 By providing local school places the distances which some children may have to travel to attend school should be reduced thus reduce congestion on the roads and therefore reduce emissions improving the air quality and making a better environment to live in.

### **Climate Change**

- 42 Providing additional school places will enable Cheshire East children the ability to secure a place at their local school thus reducing the need to travel outside of the area which will reduce energy consumption.

- 43 Cheshire East Council are very aware of their environmental education and stewardship role and are very interested in promoting sustainability in general.
- 44 Cheshire East Council is committed to being carbon neutral by 2025 and our capital build schemes are required to align with this expectation.

<b>Access to Information</b>	
Contact Officer:	<p>Claire Williamson - Director of Strong Start, Family Help and Integration and SEND.</p> <p>Joanne Prophet – School Organisation and Capital Manager.</p>
Appendices:	N/A
Background Papers:	<p><a href="#">3c. School capital organisation - Basford new school proposal - Copy.pdf (cheshireeast.gov.uk)</a></p> <p><a href="#">Microsoft Word - Committee paper – Basford East Update following Consultation CLT version (cheshireeast.gov.uk)</a></p>

