

**Agenda Item No 7 (j)**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**15 March 2016**

**Report of the Strategic Director for Children's Services**

**PRE-PUBLICATION CONSULTATION ON THE ORGANISATION OF  
PRIMARY EDUCATION IN TIBSHELF AND ON THE DISPOSAL OF PART OF  
THE FORMER SECONDARY SCHOOL SITE – (CHILDREN'S SERVICES)**

**1. Purpose of Report**

To obtain permission to carry out a pre-publication consultation on a proposal to reorganise primary education in Tibshelf by utilising the former site of Tibshelf Community School

**2. Information and Analysis**

The Tibshelf Community School was located on a site of 58,839m<sup>2</sup> (shown on the attached plan at Appendix 1) in the centre of the village until November 2013 when it moved to its new location on the edge of the village. The site comprises the footprint of the old school buildings of 9,728m<sup>2</sup> and large playing fields, including a Multi-Games Court and changing block.

Town End Junior School is located on the edge of the village (see location plan at Appendix 2). It has a net capacity of 169 places and the current number on roll is 191. The site is very restricted and does not provide the sufficient playing fields to meet DfE guidance. There is a condition backlog of £212,114 on the buildings. There is no scope for enlargement of the school on its present site.

Tibshelf Infant School is located on a constrained site adjacent to the site of the former secondary school.

It is proposed to retain an area of the former Tibshelf Community School site that is sufficient to allow all the primary education in the town to be provided on the same site and allow for future growth due to any housing development that may take place. The advantage would be that parents with children of infant and junior ages would not have to deliver their children to different locations at the start of the school day. In addition, this

site is more central to the community than the current Tibshelf Town End Junior School site. There are two options that could be considered. Tibshelf Town End could be relocated and be rebuilt adjacent to the Infant school, the two schools could form a federation or the schools could be 'merged' to create a single new primary school. The attached consultation paper at Appendix 3 sets out the details of these options and suggests that the preferred option is the creation of a federation of the two schools as this offers considerable educational benefits.

The plan at Appendix 1 identifies that 25,421m<sup>2</sup> of the former secondary school site be retained for a primary school provision, leaving 33,418m<sup>2</sup> for disposal, of which 19,643m<sup>2</sup> is playing field.

The land identified above as surplus is classified as school playing field. Therefore, any proposal to dispose of land has to be approved by the Secretary of State for Education under Section 77 of the School Standards and Framework Act 1998. Any proposal to the Secretary of State for approval must be preceded by a consultation. In particular, the consultation must include the following:

- Headteacher, parents and governors of Tibshelf Community School
- Any group with permission to use the playing fields
- The local community
- Any minor authority – in this case; Bolsover District Council
- Any primary school within 0.5 miles of the site whose playing fields do not meet the minimum recommended in the guidelines; in this case, Town End Junior School

The proposal for the disposal of 19,643m<sup>2</sup> of playing field needs to be considered in the context of 53,652m<sup>2</sup> of new playing fields having been created as part of the project to rebuild the Tibshelf Community School on a new site.

Therefore, there are two issues for consultation. The first is the disposal of part of the playing field of the former site of Tibshelf Community School, and the second is the use of the proceeds of that sale, along with other funds from the Authority, to provide a new build primary school in place of the existing Tibshelf Infant and Nursery and Town End Junior Schools. The two proposals are linked in that the new school cannot be provided if the approval is not secured from the Secretary of State for Education to dispose of the redundant playing field.

### **3. Financial Considerations**

The value of the former Tibshelf Secondary School land is estimated at £3 million. However, there would be costs incurred in achieving planning approval for an access to the site. It is proposed to report to Cabinet the options and costs of achieving site access along with the responses to the consultation.

The value of the Town End site is estimated at £850,000 – £900,000. The costs of a new primary school are estimated at £7,000,000, including site access works.

#### **4. Legal Considerations**

This proposal is subject to the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014. Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, there is a strong expectation on schools and the Local Authority to consult interested parties in developing their proposal prior to publication as part of a duty under public law to act rationally and take into account all relevant considerations. The 'pre-publication' consultation will be held in term time and during this time any person or organisation can submit comments on the proposal. These comments must be taken into account by the decision maker. The 'pre-publication' consultation document will be sent to all parents and prospective parents of the school, all staff (teaching and non-teaching) of the school, and all governors of the school. In addition, a copy of the proposal will be sent to the Head Teacher and Governing Body of schools within a minimum of a two mile radius of the school, where any change might impact their admissions, to the Professional and Trade Associations representing staff, to the local Member of Parliament and County Councillor, to the District Council and Parish or Town Council, to the Diocesan Authorities (both Derby Diocese and Nottingham Diocese) and the Early Years' providers where they could be impacted by the proposal. It is proposed that the Local Authority consults all of the above interested parties from 11 April to 9 May 2016.

#### **5. Property Considerations**

The land and buildings are owned by the Authority. There are access rights across the site for the local allotment holders, but that would not be affected by the proposed changes. Development of the site would require an improvement to the highways access and that is currently under review.

#### **6. Other Considerations**

In preparing this report the relevance of the following factors has been considered - prevention of crime & disorder, equality of opportunity, environmental, health, human rights, human resources, economic regeneration and transport considerations.

#### **7. Call-In**

Is it necessary for the call-in period to be waived in respect of the decisions being proposed in the report? No.

**8. Background Papers** These are held on file in the Children's Services Development Section.

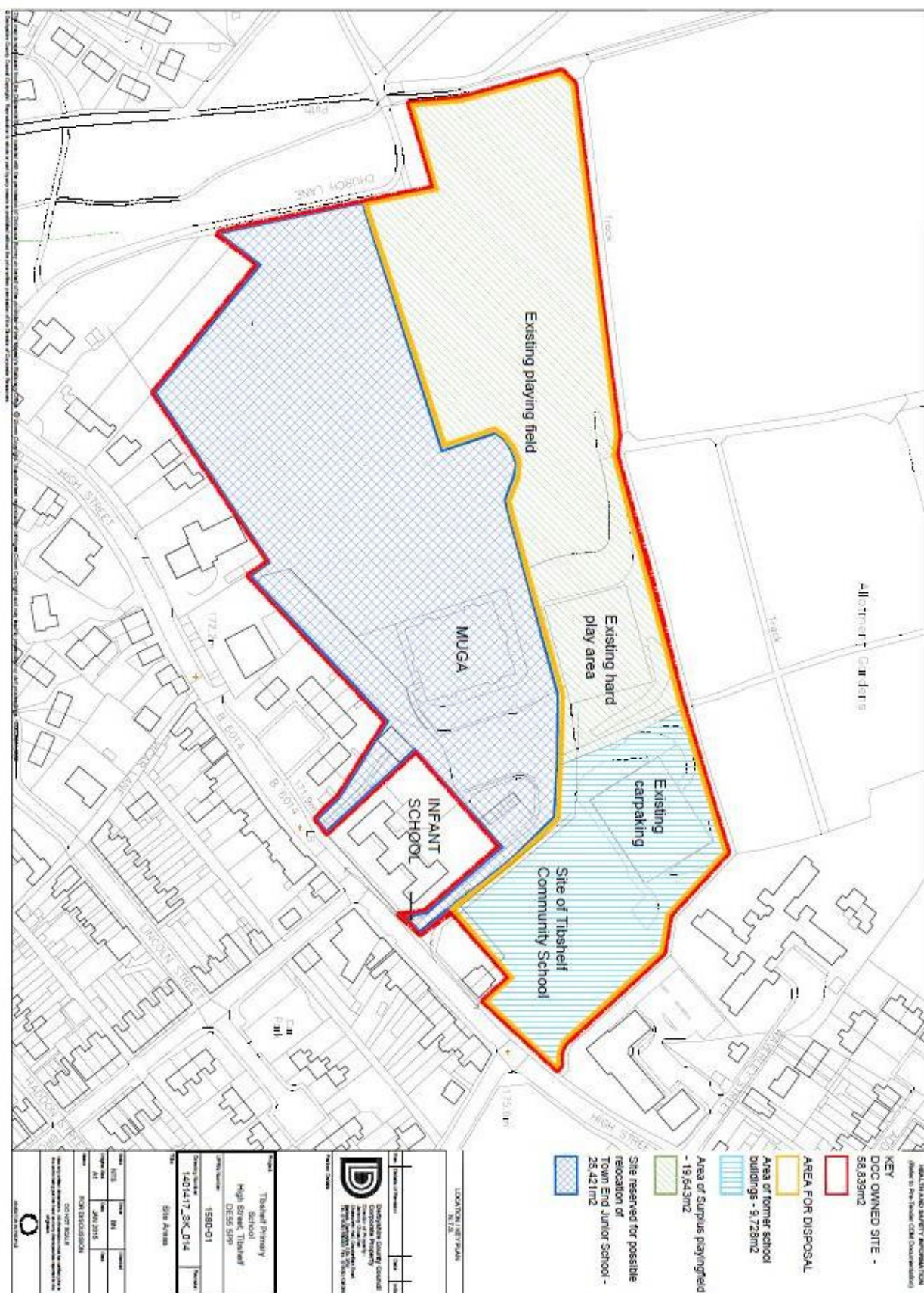
**9. Key Decision** No

**10. Officer Recommendation** That approval be given:

To undertake consultation on the disposal of a section of the playing field land at the site of the former Tibshelf Secondary School and at Tibshelf Town End Junior School, and on a proposal to use the proceeds of these sales to reorganise primary education for the town.

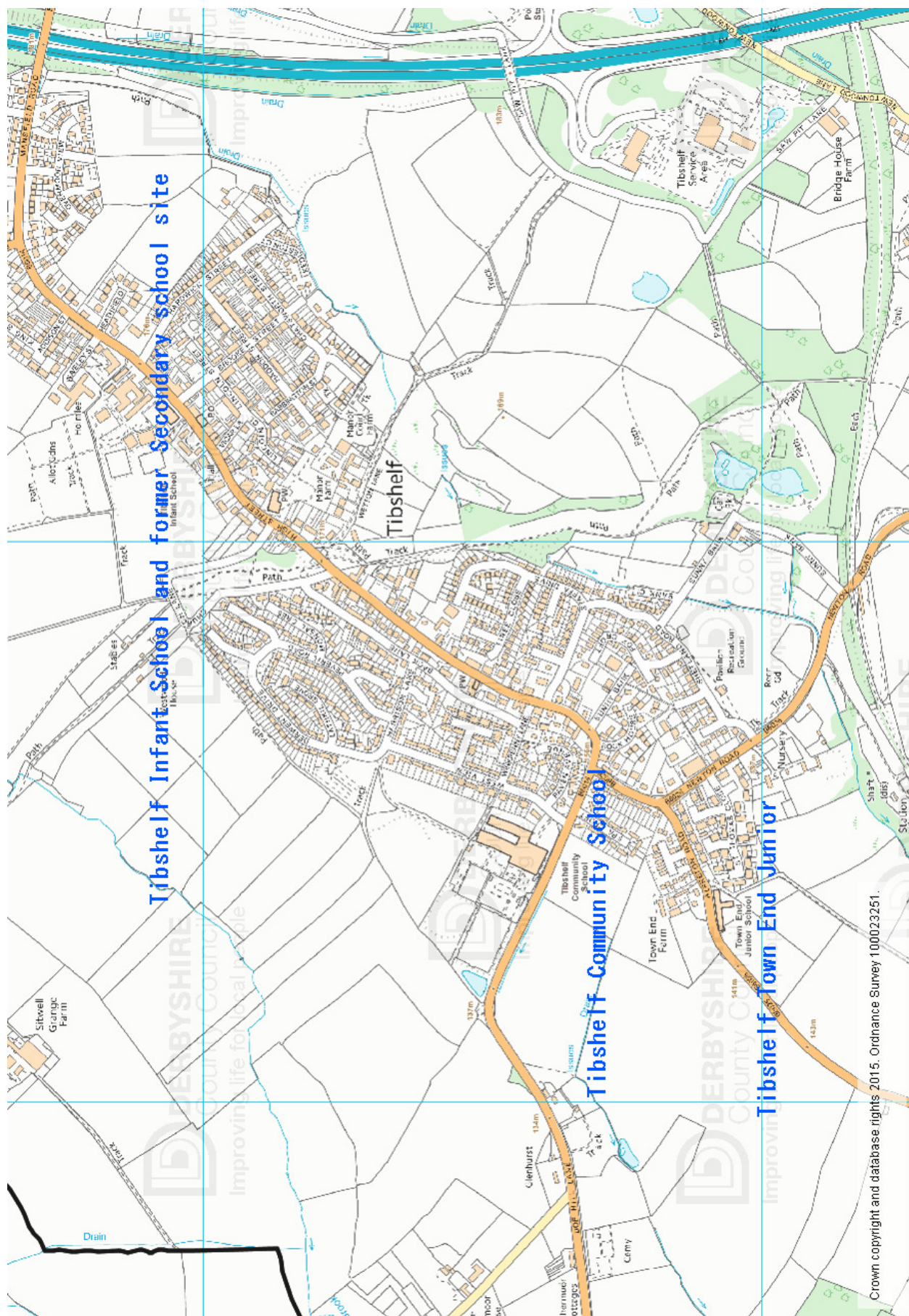
**Jane Parfremment, Strategic Director for Children's Services**

# Appendix 1





## Appendix 2



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# **Site of the Former Tibshelf School**

## **Future Use of the Site**

### **Public Consultation**

#### **Introduction**

Derbyshire County Council wishes to consult all interested parties on the future use of the former Tibshelf School site and the future of primary education in the town.

#### **Background**

The former Tibshelf School site occupies an area of 58,839 square metres in the centre of the village of Tibshelf. Tibshelf School moved to its new location on the edge of the village in November 2013. At the time of leaving, there were extensive school buildings on site, playing fields, tennis courts, an all-weather pitch and a changing block. The all-weather pitch and changing block had been funded with a partial grant from the Football Foundation. All the sports facilities were replicated on the new school site and are available for community use. Since the school's departure, the buildings (with the exception of the changing block) have been demolished on safety grounds. The changing block and playing fields have continued to be used by a local football club and the athletics club. There is access across the site to the allotments.

#### **Issues for Consultation**

The availability of a site next to the Tibshelf Infant School opens the possibility of relocating Tibshelf Town End Junior School onto the same site. It would be possible to effectively merge the two schools and create a primary school. Primary schools are seen to have a number of advantages over separate infant and junior schools, and in recent years a number infant and junior schools have merged. The advantages are set out below:

- A primary school is able to organise and coordinate the teaching across the primary years, and there is no need for a transition between infant and junior schools; the transition from infant to junior can be unsettling for some children and impact on educational progress.
- The infant and junior schools in Tibshelf are not located on the same sites and, as a consequence, parents may have children in two schools at separate locations within the town presenting travel and time issues in getting children to school.

The 'merger' of the two schools could be achieved in one of two ways. The first is for the two governing bodies to decide to form a 'federation'. Under a federation, the two schools can have a single governing body and effectively operate as a single school, although they remain distinct in some respects. The alternative would be for the Authority to undertake a formal legal process to close both schools and open a new one. It is proposed that the two schools federate rather than be replaced by a new school as a federation has many of the benefits of a single school but can be put in place with less disruption.

Derbyshire County Council is proposing that the all-weather pitch and changing block should remain and an area of 25,421 square metres be retained to replace Town End Junior School on a more central site. The Junior School is on a very small site. Numbers at the school are growing and there is no scope for expansion. The replacement school could be a direct replacement of a junior school or take the form of a primary school. The surplus land including the site of the current Town End Junior School would then be available for disposal. In order to dispose of surplus land on the former Tibshelf School or Town End Junior School sites for future development it will be necessary to seek consent from the Secretary of State for Education.

### **Funding**

The proposed project will be developed in more detail if this consultation establishes support for the proposal and approval is received from the Department for Education to sell the land. The cost of the project is estimated to be in the region of £7m. The value of the land for disposal is estimated to be around £3.9m. The balance of funding would be provided by Derbyshire County Council from its capital programme. The details of the project, including the access to the site, would be subject to further consultation as part of the planning process.

### **Consultation Questions**

1. Do you prefer the junior and infant schools to remain on separate sites?
2. Do you prefer that the junior school is relocated on the old Tibshelf School site?
3. Do you think Town End Junior School and Tibshelf Infants school should operate as a federation or do you think they should close and be replaced by a new primary school?
4. What are your views on the disposal of surplus land on the former Tibshelf School site and Town End Junior School site and the use of the funds to provide a new building to house a federation of the infant and junior schools?



## **Consultation**

Cabinet will consider all views expressed during this consultation before deciding on the future of the site. If you would like to respond to this consultation, please e-mail or write to Sue Pegg ([sue.pegg@derbyshire.gov.uk](mailto:sue.pegg@derbyshire.gov.uk)) Development Section, Chatsworth Hall, Chesterfield Road, Matlock. DE4 3FW by **Friday 13 May 2016**.