

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**28 February 2019**

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

**INFORMAL CONSULTATION ON THE ORGANISATION OF PRIMARY  
EDUCATION IN TIBSHELF – (Young People)**

**1. Purpose of Report**

To obtain permission to carry out an informal consultation on a proposal to reorganise primary education in Tibshelf, utilising the former site of Tibshelf Community School.

**2. Information and Analysis**

Derbyshire County Council made a significant investment in building a new secondary school for Tibshelf, providing modern facilities that enhance high quality education. Tibshelf School moved to its new location on the edge of the village in November 2013. The former Tibshelf School site (to the rear of the Infant & Nursery School) occupies an area of 58,839 square metres in the centre of the village of Tibshelf. 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.

In April/May 2016, there was a pre-publication consultation to consider the future of primary education in Tibshelf and the disposal of surplus land on the former Tibshelf School site. Derbyshire County Council’s Cabinet considered the outcome of that consultation in July

2016 and the decision was made to apply for permission to dispose of the surplus land. The decision on the future of primary education in Tibshelf would be the subject of further consultation. The Education and Skills Funding Agency approved the disposal of surplus land in 2018. The remaining site, together with the capital receipt from the surplus land, provides an opportunity to invest in new school premises. It is, however, necessary to determine the organisation of primary education in the village before a design can proceed. The decision will also determine the correct statutory or non-statutory procedure for re-organisation.

When the initial consultation took place, it was thought that access to the former Tibshelf School site could be achieved without impacting on the existing Infant School. Further discussion with the Highways Department has determined that that is not the case and a section of the Infant School building will have to be demolished to provide acceptable access for any development on the available site. As a consequence, if the decision is made to utilise the site for a school, the new building will be required to house both the junior and infant pupils regardless of the organisation of the school.

Town End Junior School is located on the edge of the village (see location plan at Annex 1). It has a net capacity of 196 with 174 on roll. The site is very restricted and does not provide sufficient playing fields to meet DfE guidance. There is a maintenance backlog of £636,555. There is no scope for enlargement of the school on its present site.

Tibshelf Infant School is centrally located (see location plan). It has a net capacity of 130 and 130 on roll. It is on a constrained site and the condition backlog is £389,261.

The projections show a small decrease in numbers at the Junior School but an increase to 153 by 2023 for the Infant School (23 above capacity). In addition, planning approval has been granted for 227 houses in the village which could generate 45 primary-aged pupils. The Infant School is also eager to extend its age range to provide pre-school education to 2 year-olds.

The consultation document at Annex 2 provides the background and asks the following questions:

- (a) Do you prefer the Junior and Infant Schools to remain on separate sites?
- (b) Do you think Town End Junior School and Tibshelf Infant School should be co-located and operate as a federation?

- (c) Do you think the Junior and the Infant & Nursery School should close and be re-established as a new primary school?

The consultation will take place from 14 March 2019 – 10 May 2019. That represents a 6-week consultation taking into account the Easter school holiday.

### **3. Financial Considerations**

The estimated cost of a new school is £7M. The value of the surplus land at the former Tibshelf School is £1.75M and the value of the Town End Junior site is £600,000 providing a total capital receipt of £2.35M. Initially, the capital receipt was estimated at £3.9M, however that was reduced in subsequent valuations. On 26 January 2016, Cabinet approved £3.1M from borrowings and on 26 July 2018, Cabinet approved £1.55M from basic need funding to replace the loss of capital receipt.

### **4. Legal Considerations**

The options for primary re-organisation within this proposal are subject to the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Education and Inspections Act 2006 and The School Governance (Federations) (England) Regulations 2012. The Local Authority have also considered the Department for Education guidance publications - Making significant changes ('prescribed alteration') to maintained schools published in October 2018 and Opening and closing maintained schools- Statutory Guidance for proposers and decision-makers published in November 2018.

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. An initial consultation took place between 11 April and 9 May 2016 but given the length of time since that took place, it is considered appropriate to carry out further consultation before a formal proposal is made which may be subject to a statutory process. The consultation will take place from 14 March – 10 May 2019 which is an 8-week period taking account of the 2-week Easter holiday.

## **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 they would not be affected by the proposed changes.

## **6. Social Value**

The Authority has a statutory duty to provide sufficient school places in the County. It also ensures that they are good quality places that meet with modern standards and contribute to the high quality education.

## **7. Other Considerations**

In preparing this report the relevance of the following factors has been considered: Prevention of Crime & Disorder, Equality of Opportunity and Environmental, Health, Human Resources and Transport Considerations.

## **8. Background Papers**

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

## **9. Key Decision**

No.

## **10. Call-in.** Is it necessary for the call-in period to be waived in respect of the decisions being proposed in this report?

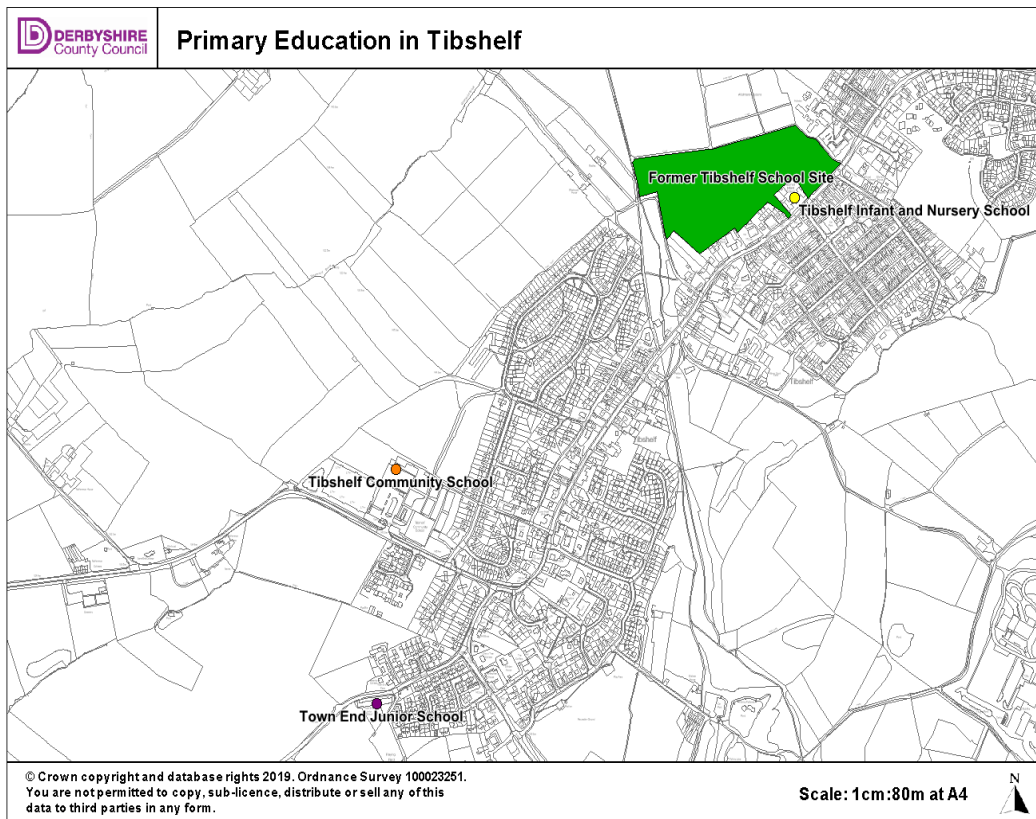
No.

## **11. Strategic Director's Recommendations**

That Cabinet agrees to the informal consultation on the organisation of primary education in Tibshelf, to take place from 14 March 2019 to 10 May 2019.

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

## Annex 1 –



## **ANNEX 2**

# **The Organisation of Primary Education in Tibshelf**

## **Informal Public Consultation**

### **Introduction**

Derbyshire County Council wishes to consult all interested parties on the organisation of the schools in Tibshelf for the education of primary-aged children.

### **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.

In April/May 2016, there was a public consultation to consider the future of primary education in Tibshelf and the disposal of surplus land on the former Tibshelf School site. Derbyshire County Council's Cabinet considered the outcome of that consultation in July 2016 and the decision was made to apply for permission to dispose of the surplus land. The decision on the future of primary education in Tibshelf would be the subject of further consultation. The Education and Skills Funding Agency approved the disposal of surplus land in 2018 and therefore the Authority is wishing to formulate its plans for the site.

### **Issues for Consultation**

The availability of a site on the former Tibshelf School site creates an opportunity to review the organisation of primary school provision in the village. There is scope 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 of 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 head teacher and effectively operate as a single school, although they remain distinct in some respects such as separate Ofsted inspections, budgets and admissions. The alternative would be for the Authority to undertake a formal legal process to close the two existing schools and open a new primary school. Under current legislation, the new primary school can remain a maintained school under Derbyshire County Council. In financial terms however it would operate with a single budget and this may adversely affect the viability of the school. The federation option 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 28,700 square metres be retained to build a new school which would offer modern facilities and enhance the quality of education.

The Junior School is on a very small site and there is no scope for expansion.

In order to access the former Tibshelf School site, since the last consultation, it has become clear that the Infant & Nursery School would at least have to be partially demolished to provide acceptable access for any development and therefore if the decision is made to utilise the site for a school, the new building would accommodate both the junior and infant pupils regardless of the organisation of the school. The surplus land

including the site of the current Town End Junior School would then be available for disposal.

### **Funding**

The proposed project will be developed in more detail if this consultation establishes support for the proposal. The cost of building a new school to accommodate all of the primary-aged children in Tibshelf is estimated to be in the region of £7m. The value of the land for disposal is estimated to be around £2.35m. 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 think Town End Junior School and Tibshelf Infant & Nursery School should be co-located and operate as a federation?
3. Do you think the Junior and the Infant & Nursery School should close and be re-established as a new primary school?

### **Consultation**

Cabinet will consider all views expressed during this consultation before deciding on the future of primary education in Tibshelf. The consultation will commence on Thursday 14 March 2019. If you require the consultation document in any alternative format such as large print or braille please contact Sue Pegg. 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 10 May 2019**.