

Item No. 14.	Classification: Open	Date: 10 July 2023	Meeting Name: Cabinet
Report title:		Amalgamation of Camelot and Cobourg Primary Schools	
Ward(s) or groups affected:		Old Kent Road	
Cabinet Member:		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Education and Refugees	

FOREWORD - COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, EDUCATION AND REFUGEES

This report seeks the approval of cabinet for the amalgamation proposals for Cobourg and Camelot primary schools.

This follows the decision of both Camelot and Cobourg schools governing bodies to join forces. This work reflects intense work with school staff, parents, pupils and their local communities.

The proposal is for the two schools to be accommodated at Camelot and for Coburg to close by the 31st August 2023.

Background

Cabinet will know that *school amalgamations* are a feature of our Keeping Education Strong strategy and plan. Amalgamations are just one of our responses to the falling schools phenomenon that is having a serious impact on education in London and beyond following falls in birth rates, families leaving the Capital and longer term impacts of Brexit.

However the main driver for the Camelot – Cobourg amalgamation came about as a result of an Interim Executive Board (IEB) whose directive was to secure the short and long term future of Cobourg school.

Cobourg Primary School received a second, consecutive Requires Improvement (RI) judgement overall from Ofsted (May 2018 and April 2022). Its Early Years setting is the only one in Southwark to have been judged as RI in successive inspections. Which is why an IEB was set up at the school in the first place.

Support for school staff, parents and pupils

This work follows the process of informal and formal consultation.

Parents are being held and pupils are being supported from Cobourg to Camelot school. All staff from both schools will be employed by the ‘merged’ school unless they choose to leave before the amalgamation is complete. There is of course trade union support for teachers and school staff.

Health, equalities and climate assessments

In line with council policy we will make sure Cobourg school is maintained for education and or skills purposes. Full health and equalities impact assessments are not deemed to be negative and are included. The amalgamation is not deemed to have any negative climate implications.

Conclusion

The council is clear that we work with schools and not do to them. Given the work that has gone into this decision I recommend that we approve the amalgamation of both schools.

I also ask colleagues to note that - even though this amalgamation was not driven by the falling school rolls crisis – it will still accompany our lobbying strategy for government to support schools financially struggling to balance budgets as a result of their current funding formula.

RECOMMENDATION

1. That the Cabinet agree to amalgamate Cobourg Primary School and Camelot Primary School from the 31 August 2023, entailing the closure of Cobourg Primary School.

BACKGROUND INFORMATION

2. Cobourg Primary School is a one-form entry (1FE) school near to the Old Kent Road and Burgess Park. The school is situated in Planning Area 1 (PA1) – “Borough, Bankside and Walworth” in the Old Kent Road ward.
3. Cobourg Primary School has been through a period of significant leadership turbulence in the past five years. Currently, it is the only school in Southwark which has received a second, consecutive Requires Improvement (RI) judgement overall from Ofsted (in May 2018 and April 2022). Cobourg’s Early Years provision is the only school-based provision in Southwark that has been judged as RI in successive inspections. This means cohorts of children at Cobourg have had an unsatisfactory start to their education.
4. Consistently poor outcomes at the end of Key Stage 2 (KS2) indicate that gaps opened in early years at the school are not closed by the time pupils transfer to secondary school. The school has consistently been in the lowest performing 5% of schools in Southwark for KS2 outcomes and pupil attendance.
5. Furthermore, the school’s governing body was not able to appoint a substantive Headteacher for more than five years. This means that leadership has been ineffective and inconsistent. In January 2022 the school’s governing body received a Warning Notice from the Director of

Education about its failure to address the issues of standards and leadership at the school. The governing body did not comply with the conditions of the Notice, and consequently was removed with the agreement of the Regional Director's Office in June 2022.

6. Cobourg's Governing Body was then replaced by an Interim Executive Board (IEB) whose directive was to secure the short and long term future of the school.
7. These actions have been taken in accordance with the Department for Education's "Schools Causing Concern" guidance, and on the basis that the Local Authority considered that the school was eligible for intervention under the Education and Inspections Act 2006. An immediate action taken by the IEB was the establishment of a partnership with nearby Camelot Primary School, a school with the demonstrable capacity to raise standards, lead both schools effectively and implement a strong curriculum offer for all pupils.
8. In addition to immediate concerns about the quality of education, the falling number of children attending Cobourg poses a threat to its future sustainability. In recent years, Cobourg has not been able to fill the places it was originally configured to admit each year. Indeed, in 2021/22, the school reduced its PAN (reception capacity) from 60 to 30 to try to address this shortfall. Cobourg presently has a capacity of 390 across all year groups of the school, of which 212 places are currently filled with 178 places empty - 46% of the school's overall capacity. This is substantially above the Council's average vacancy level of 22%. The number of applicants Cobourg has received has seen a considerable drop since 2016 in expressed preferences overall – 114 in 2016/17 to 51 in 2021/22. First preferences have fallen from 42 to 25 and 1st to 3rd preferences from 80 to 40. This, along with 21% drop in births in Planning Area 1 (PA1), make it unlikely that pupil numbers will recover at Cobourg in the near future.
9. The local context in which this proposal is being made is the reduction in the numbers of primary age pupils in London in general and in Southwark in particular. London Councils (2023) confirmed, "*London local authorities and schools are dealing with a significant and sustained period of reduction in demand for reception places, which has implications for school budgets and standards. The fall in demand reflects the decline in the birth rate since 2012 and changes in migration patterns*".
10. In Southwark, this trend was previously noted by Cabinet in relation to the Pupil Place Planning Report 2022 (October 2022). This report noted a substantial reduction in primary pupil numbers across the authority area in the last 5 years, particularly in Planning Area 1, as well as a projected continuation of this reduction at least until the end of the decade.
11. In December 2022, Cabinet agreed a Strategy to address the issue of falling rolls – '*Keeping Education Strong: Strategy for future proofing primary schools and protecting the quality of education in Southwark*'. A further update on this Strategy, '*Keeping Education Strong Recommendations*', was approved by Cabinet at its June 2023 meeting.

12. There are presently 778 (22%) primary reception vacancies in Southwark and 5,791 vacancies (also 22%) across all year groups in primary schools as at Spring Census time in 2023. This is some way above the generally accepted 10% vacancy rate that allows for choice across the sector, and is having a severe impact on schools' finances, as school funding is based on the number of children on roll. Whilst rolls are falling, schools continue to be required to pay for maintenance of buildings and staffing structures for more places than there are pupils, making schools like Cobourg unviable both financially and organisationally.
13. It is a core principle of the Council to protect Southwark's high quality of education - this may be compromised where the cost of teaching staff, equipment and enrichment activities become unaffordable. The Council has already taken action including supporting the amalgamation and federation of schools and reducing the number of surplus places by reducing the Published Admissions Number (PAN) of schools. However, the link between pupil numbers and school funding means that it is not always feasible to keep a school operating and guarantee a continuing high standard of education for the remaining pupils.
14. Cobourg's IEB took the view that an amalgamation of Cobourg and Camelot on the Camelot site from September 2023 would provide a reliably good quality of education for children currently at Cobourg, and would strengthen the education offer for all children for both schools. Camelot Primary School's Governing Body supported this measure. It has become increasingly clear that Cobourg School is no longer sustainable financially or organisationally, and Southwark Council agreed, after consideration of a number of options, that the amalgamation of the school should be consulted on. The amalgamation would involve the formal closure of Cobourg Primary School, and the statutory processes this requires. The proposed amalgamation would mean the transfer of staff and pupils to Camelot Primary School, on the Camelot site, leaving Cobourg to be repurposed for other educational use.
15. Other options for Cobourg have been considered assessed as outlined below

Other measures	Reason not actioned
Status quo	The danger to standards and teaching quality for a "Requires Improvement" school was too serious to be ignored
Closing the school	Closing the school without a merger would not offer the advantages of an amalgamation – including the bringing together of the two school communities and the automatic offer of a school place at Camelot for all those wishing to take it up.
Amalgamation with another school	No suitable alternative school within a reasonable travelling distance was available and there was an existing strong partnership with Camelot
Further reduction PAN	At 30 (1FE), this is as low as most schools in the UK go – schools under 1FE are not

Other measures	Reason not actioned
	financially sustainable
Closure of both schools and opening a new school	This would require the running of an academy competition and sourcing of a sponsor, which would take more time than available and would close an existing Ofsted “Good” school for no good reason

16. Until 2019, Camelot Primary School – the school that it is proposed to amalgamate Cobourg with - was a 2.5FE school, with a “net capacity” (the physical space) of 525 pupils. Due to a (slight) fall in rolls, the school reduced its PAN to 2FE in 2019, and has been admitting two forms of entry over the last three academic years. However, no classroom space has been disposed of, and sufficient space exists at the school to take on all the pupils on the roll of Cobourg, were this amalgamation to be agreed.
17. There will be – minus the Y6 who will be leaving for secondary school – around 170 pupils in years R to 5 who could potentially transfer to Camelot. We estimate there will be 310 pupils already at Camelot for September 2023 – combined this will total 480 pupils. As Camelot has a net capacity of 525 places, if all pupils transferred, this would have left around 45 places spare. In most year groups, the combined numbers of children will lead to classes of between 21 and 24 children, with Year 5 and 6 having a higher proportion but still under 30. Camelot Primary School is Ofsted rated “Good”, with “Good” ratings also for ‘Effectiveness of leadership and management’ ‘Quality of teaching, learning and assessment’, ‘Personal development, behaviour and welfare’, as well as ‘Outcomes for pupils’ – the school has scored consistently higher than Cobourg in all of these measures.
18. Full consideration has been given to the local context in which this proposal is being made, the nature of the area, the age of the children involved and, where applicable, alternative options considered for reducing excess surplus capacity. Southwark has extensively researched a wide range of options for the reduction of capacity in the area and in June 2023 Cabinet agreed passed a strategy for the reduction of excess capacity (“Keeping Education Strong”). This is particularly true for the locality in which Cobourg is situated, where excess primary capacity has been exacerbated by a variety of issues outside the Council’s control. The work undertaken to write “Keeping Education Strong” allowed us to consider and assess options to reduce capacity, which will be implemented going forward.

KEY ISSUES FOR CONSIDERATION

The procedure for the consideration of a school amalgamation and closure

19. Southwark Council is following the statutory process for amalgamating and closing schools as set out in the Department for Education’s (DFE) guidance: “*Opening and closing maintained schools, Statutory guidance for proposers and decision-makers, November 2019*”, and Schedule 2 of the Education and Inspections Act (EIA) 2006, as amended by the

Education Act 2011 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013).

20. The five stages to a school closure consideration outlined in the guidance are set out below
 - *Stage 1: Statutory Consultation with interested parties (completed)*
 - *Stage 2: Publication of proposals (completed)*
 - *Stage 3: Representation from publication; (completed)*
 - *Stage 4: Cabinet decision (this report requests this), and finally,*
 - *Stage 5: Implementation of proposals, if agreed.*
21. The school and Southwark Council held a series of informal, information sessions during March 2023 with parents of children at the schools, staff and key stakeholders to explain the situation that the school was in and to give notice that a formal process to consult on proposal for amalgamation was to begin.
22. The Deputy Leader and Cabinet Member for Children, Young People Education and Refugees agreed via an IDM in March 2023 to begin a consultation on the proposal to amalgamate Cobourg and Camelot Primary Schools effective from 31 August 2023. This was followed by the statutory six-week consultation period that forms Stage 1 on the statutory amalgamation process. The consultation ran from 20 March 2023 to the 5 May 2023.
23. Following consideration of responses to the consultation, a further IDM in May 2023 approved the publication of amalgamation of proposals for Cobourg and Camelot Primary Schools: Stage 2 of the process. This involved posting of notices on the websites of both schools on 5th June 2023, as well as physical notices at the entrances/receptions of both schools and a notice in the Southwark News. This precipitated Stage 3 of the process – the representation period – running from the 5 June 2023 and completed on the 3 July 2023, 4 weeks later.
24. This report seeks the approval of Cabinet to amalgamate Cobourg and Camelot Primary Schools and to close Cobourg Primary School (Stage 4 of process). Stage 5 – if the Cabinet agree to the closure of the school - would be the formal process of the Cobourg Primary School closing on the 31st August 2023 and amalgamation taking place from that point onwards.
25. The timetable outlined in paragraph 19 is given in tabular format below with proposed timescales – a more detailed timetable is given as Appendix 4.

Stage	Dates
Stage 1: Statutory Consultation	20 March 2023 to 7 May 2023
Stage 2: Publication	5 June 2023
Stage 3: Representation	5 June 2023 to 3 July 2023
Stage 4: Cabinet decision	10 July 2023
Stage 5: Implementation	31 August 2023

Results of the pre-publication consultation (Stage 1)

26. Cabinet is required to consider the results of the consultation process, before deciding whether to proceed with the decision to amalgamate the two schools. The process and issues raised are summarised below.
27. It is a statutory requirement for the Proposer (in this case the Local Authority) to consult any parties they think appropriate before publishing statutory proposals.
28. The process included a statutory element of consultation that lasted for 6 weeks to allow the widest possible opportunity for views/comments to be made by parents, carers, local residents and other stakeholders. The purpose of the consultation was for the LA to seek the views of and engage with those that could potentially be affected by the amalgamation of Cobourg and Camelot schools and the resultant closure of Cobourg School. It was also an opportunity for interested parties to suggest other options for consideration.
29. In addition to this, Southwark sought the views of:
 - *All schools/admission authorities in Southwark, governing bodies and academy trusts (via the Headteacher and the Chair of Governors).*
 - *Neighbouring Councils (Lambeth, Tower Hamlets, Lewisham, Croydon, Wandsworth, and Westminster)*
 - *All Southwark Councillors and MPs*
 - *The Southwark Diocesan Board of Education and the Catholic Diocese*
 - *Appropriate trade Unions.*
30. Consultation was undertaken by:
 - *Placing a note on the school websites containing the consultation documents*
 - *Giving an email address to allow for parents, carers and stakeholders to feed back on the pre-publication proposals*
 - *Distribution of a form for stakeholders to respond to*
 - *An email to all of the five, additional stakeholder groups listed above was sent by the LA*
 - *Six consultation meetings for parents, carers, community and stakeholders were held in March 2023*
 - *Meetings with staff, and their professional associations/trade unions.*

Results of consultation and responses to issues raised in the initial pre-publication consultation

31. At the conclusion of the statutory consultation outlined above, the LA has reviewed the feedback received.

32. No representations were received to the consultation exercise from neighbouring councils, Councillors, the SDBE or the Catholic Diocese. The trade unions had a number of operational queries, and liaised extensively with the school's Human Resources (HR) advisors. No trade unions formally objected to the school closure.
33. Ten responses were received from the consultees outlined in paragraphs 26 to 27 from the Stage 1 consultation.
34. In addition a petition on the Change.org website was launched at <https://www.change.org/p/stop-the-amalgamation-of-cobourg-primary-school-and-camelot-primary-school?redirect=false>, which attracted 266 signatures (as at 7/6/2023). The petition was entitled "Stop The Amalgamation of Cobourg primary school and Camelot Primary School", and was promoted using social media.
35. The petition stated that "*Cobourg Primary School is a safe, loving, caring and passionate school. Our children enjoy learning here and the staff are dedicated and passionate about their roles in ensuring our children have the best start in life and catering for all children's needs*".
36. Issues raised as part of the petition were
 - *The building's use post-closure*
 - *The distance between the two schools merging*
 - *The effect of the closure of the school on the community*
 - *The loss of amenity due to the school's situation by Burgess Park lake.*
37. The consultees in Stage 1 – outlined in paragraph 26 and 27 - raised the following issues
 - *The impact of the increase in school size on Camelot's behaviour management*
 - *Affordability of the new uniform.*
 - *Comparison of the air quality between the two schools.*
38. In response to the issues raised by consultees and by the people signing the petition, officers can offer the following observations on the broad issues raised, which have been consolidated into a number of categories.

Issue	Observation
Concerns around the building's use post-closure	It is intended that the building will be re-used for education purposes.
The distance between the two schools merging	The distance between the two schools is 0.7 miles. By way of comparison the Department for Education stipulates a 'statutory walking distance' of up to 2 miles that a child under 8 might be reasonably expected to walk to school. There are several bus routes between the two schools.
The effect of the closure of the school on the community	As outlined above, the school building will remain in use for education. An

Issue	Observation
	<p>aim of the proposed amalgamation is to bring together the school communities of Cobourg and Camelot, extending the work has been undertaken since the schools began working under one leadership.</p> <p>Other than education for school age children, there are no significant services for the community being delivered from Cobourg school which would be affected by this decision.</p>
The impact of the increase in school size on Camelot's behaviour management	<p>Camelot school has been judged by Ofsted as having Good behaviour management and the Local Authority is confident that it will be able to maintain this standard in an amalgamated school.</p>
Concerns that Cobourg parents cannot afford the Camelot uniform.	<p>Southwark will provide a £40 voucher to contribute to uniform costs for disadvantaged pupils moving on from Cobourg.</p>
Cobourg has less pollution than Camelot due to the location close to nature. Cobourg is closer to Burgess Park and a lake which encourages children to be active.	<p>Cobourg Primary School is closer to the Old Kent Road than Camelot School, which is the busiest traffic highway near to both schools. Camelot Primary School has several parks nearby including Bird in Bush Park and Leyton Square Gardens. While Camelot School is further away from Burgess Park and its lake it is within walking distance and Camelot School does make use of Burgess Park.</p>

Publication of the notices and representation (Stages 2 and 3) and responses to issues raised in the post publication consultation

39. The LA published the proposals on the 5 June 2023, requesting responses by the 3 July 2023. Formal notices (Appendix 2) were published and displayed at both school, placed on the schools' websites and in the local press (the Southwark News), inviting comment on the statutory proposal (Appendix 3) – this completed stage 3 of the statutory process.
40. No significant new issues were raised in the representation period following publication of the notices, over and above those already set out in table at paragraph 38 above.

Cabinet decision (Stage 4)

41. At the conclusion of Stages 2 and 3 and in line with the statutory guidance, the decision maker is the Cabinet of the Council and the proposals and

such observations, feedback, objections and comments are presented to the Cabinet for scrutiny and decision. The Cabinet is empowered to:

- *Agree the closure proposal*
 - *Agree the closure proposal with modifications*
 - *Refuse the closure proposal.*
42. If Cabinet does not take a decision on the school closure within 2 months of the expiry of the formal notice the matter would then be referred to the Office of the Schools Adjudicator (OSA) for final decision.
43. The following bodies have the right to have the decision referred to the Schools Adjudicator in any case, independent of the local authority after the Cabinet decision is taken.
- *The Diocesan Board of Education of any C of E Diocese in the relevant area.*
 - *The Bishop of any Roman Catholic Church in the relevant area.*
 - *The governing body or any foundation of the foundation or voluntary school (VA) specified in the proposals.*
44. As neither Camelot nor Cobourg are VA or foundation schools, the last category does not apply.

Formal amalgamation of the schools (Stage 5)

45. If Cabinet agrees to the proposals, the closure of Cobourg Primary School will be effective from 31st August 2023 and the amalgamation from that point onwards.

Actions undertaken for the pupils, parents and carers affected

46. The local authority, as the body responsible for school admissions in Southwark, has had to plan for every eventuality to ensure that all children presently attending Cobourg Primary School have a school place for September 2023. It is open for all Cobourg pupils to transfer to Camelot, which, as a stable and successful establishment, will be able to provide the quality of education that existing Cobourg pupils deserve.
47. However, some parents may prefer for their children to take up places at other local schools with vacancies. Parents are welcome to apply through the Council's usual in year admissions process for places at other schools. There are numerous primary school vacancies in the locality of Cobourg – over 600 at the last schools Census time, all of which are Ofsted “Good” or better. Children with special educational needs are being fully supported to make this transition with reviews of their Education, Health and Care Plans (EHCPs) where appropriate.

Actions undertaken for the teachers and non-teaching staff affected

48. At the start of the process the LA informed their staff at the earliest possible opportunity that there was a potential that Cobourg school would close in

August 2023. The trade unions were also involved at this stage. Support has been provided to staff affected throughout by Southwark Schools HR.

Policy framework implications

49. With regard to the council's delivery plan, the closure of Cobourg Primary school will address the "*Work with schools to keep standards high*" workstream, as with low pupil numbers, this would be increasingly challenging for the school in the future.
50. The proposed closure also accords with the Council's value of "*spending money as if it were from our own pocket*", as the proposed closure will ultimately mean that schools' expenditure will be deployed where most demand is concentrated.

Community, equalities (including socio-economic) and health impacts

Community impact statement

51. The Public Sector Equality Duty, at section 149 of the Equality Act 2010, requires public bodies to consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees. The statutory guidance requires the Cabinet to consider the impact of this proposal on local integration and community cohesion objectives when they are taking a decision on the proposals. Given that most children are remaining within the locality it is not felt that there will be any discernible impact on integration and community cohesion.
52. Public bodies are required to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The Council's "Approach to Equality" commits the Council to ensuring equality is an integral part of our day-to-day business.
53. "Protected characteristics" are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues to consider in terms of place planning. Factors of age, disability, race, religion or belief may be relevant when considering changes to a school. As set out in the Equality Impact Needs Assessment (Appendix 5), no significant negative impact has been identified in respect of this decision.
54. Camelot Primary School has demonstrated that it is delivering a range of education opportunities which reflect the social, ethnic and cultural mix of the community in which it is located. Ofsted has highlighted its 'strong sense of inclusion' and 'respect for diversity', as well as success in ensuring disadvantaged pupils, pupils with SEND and those with English

as an Additional Language make good progress. This approach will continue in the amalgamated school.

55. Camelot Primary School offers extended services to its school community, such as summer activities for children. This offer will be accessible to families joining the school following amalgamation. Other than education of school age children – which will continue at Camelot Primary School - there are no significant services to the wider community being delivered at Cobourg Primary School that would be affected by the proposed amalgamation.
56. With regard to the Ministry of Housing, Communities & Local Government "Integrated Communities Action Plan" - the guidance issued by the Government lists (under "Education and Young People") a list of actions that schools and local authorities should reference, if needed. None of the 16 issues raised as part of the plan are appropriate to this proposal.

Equalities (including socio-economic) impact statement

57. A detailed Equality Impact Needs Assessment (EINA) (that includes socio-economic impact) has been completed and is attached at Appendix 5. The statutory guidance requires the Cabinet to consider the impact of this proposal on local integration and community cohesion objectives when they are taking a decision on the proposals. Given that most children are remaining within the locality it is not felt that there will be any discernible impact on integration and community cohesion.

Health impact statement

58. We understand that making changes, such as having to move school or employment, can have an impact on mental health. We have provided school leaders of all of our schools with access to support resources for their staff and have also provided support to our children and families through our education services.

Climate change implications

59. Following the council assembly meeting on 14 July 2021, the Council has now committed to considering the climate change implications of any decisions made. This report has not directly considered the impact of climate change in the main body of the report, as the effects on climate change are expected to be minimal.
60. Southwark actively encourages children to travel to school on foot, by bicycle or on public transport. We do not anticipate this decision having a significant impact on this.
61. This proposal is not expected to result in unreasonably long journey times, increased travel costs or increase in the use of motor vehicles. Camelot Primary is 0.7 miles from Cobourg Primary School and as such is within reasonable walking distance. The journey between the two is also served by several bus routes on which children of primary school age may travel free of charge.

62. In the event of closure of Cobourg Primary School proceeding it is intended to repurpose the site for alternative educational use. This will provide an opportunity to ask new providers to invest in making the premises more environmentally friendly and moving towards our ambition of net zero.
63. Therefore, there will be, in our opinion, no substantive negative effects as a result of the recommendations and proposals.

Resource and risk implications

64. The council aims to ensure that demand for school places is as closely matched to supply as possible. The closure of a school where there is considerable overcapacity supports this process.
65. Section 14 of the Education Act 1996, places a duty on local authorities to “secure that sufficient schools for providing primary and secondary school education are available for their area”. The authority is required to exercise these functions with a view to increasing opportunities for parental choice.
66. The large level of existing and anticipated vacancies and the compact nature of Southwark’s geography mitigate considerably against any risk of there being insufficient places to house pupils affected by the closure.
67. The freehold of the building at Cobourg Primary School belongs to the council, who would ultimately decide what use the building would be put to, if closure were agreed. Planning constraints presently limit the use of the building for anything other than education or training purposes. Southwark Council’s intention is for the building to remain in use as an educational or community facility.

Legal implications

68. Please see the comments below from the Assistant Chief Executive (Governance and Assurance).

Financial implications

69. The Dedicated Schools Grant (DSG) Schools Block, which is awarded to fund education provision, is primarily calculated using pupil numbers and pupil characteristics. Consequently, there is expected to be minimal impact on the amount of the grant as a consequence of the closure.
70. With a similar amount of income spread over a smaller number of schools, there will be a positive impact on the financial position of schools. This will be seen in those schools which accept pupils formerly attending Cobourg, particularly Camelot.
71. Cobourg Primary School ended the 2022/23 financial year in a deficit position of £20k. This forecast is expected to rise significantly if the school remains open therefore it is important that decisive and timely action is taken.

72. The closure will incur costs such as redundancies, site security, archiving/disposal etc. In order to minimise the costs of closure it is important that the school and officers work together to maximize redeployment opportunities to existing staff to alternative, suitable positions.

Human Resource Implications

73. The council is the employer of all staff at the school, and will follow formal staff redundancy processes in consultation with trade unions and staff as per the Restructure, Redeployment and Redundancy Policy. This may or may not result in staff redundancies.

Consultation

74. Consultation in this proposal has been extensive including the statutory consultation processes and has involved all relevant stakeholders, and the results are outlined in paragraphs 31 to 38.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive - Governance and Assurance

75. The Cabinet is being asked to approve proposals to amalgamate Cobourg Primary School and Camelot Primary School from the 31 August 2023 onwards, and this decision will include the closure of Cobourg Primary School.
76. Cobourg School is a Community Primary School maintained by the council. A school closure is an executive decision of the council, which has been reserved in the council's constitution to be made by the Cabinet. A decision to close the school therefore has to be made by the Cabinet and in accordance with sections 15 and 16 and schedule 2 of the Education and Inspections Act 2006, and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. The Cabinet must also have regard to the statutory guidance "Opening and closing maintained schools" issued by the Department for Education in January 2023 when making a decision to close a maintained school.
77. The 2006 Act prescribes that one of the following decisions has to be made in relation to the proposals:
 - (a) reject the proposals
 - (b) approve the proposals without modification
 - (c) approve the proposals with such modifications as the Cabinet thinks desirable after any relevant consultation.
78. The cabinet is being asked to make this decision following the publication of proposals by the council for the closure of Cobourg school. These proposals have been set out in a statutory notice and follow a period of statutory consultation required to take place prior to the proposals being published.

79. The proposals were published on 5 June 2023. Any person may send objections or comments to these proposals to the council within four weeks of the date of publication of the proposals. Any objections or comments have to be provided to the Cabinet and conscientiously taken into account when making its decision.
80. The statutory guidance referred to above sets out considerations that should be made by the council when deciding on proposals including:
 - The information in the statutory proposals for closure
 - Being satisfied that the council has carried out the statutory process satisfactorily
 - Giving due regard to all responses received during the representation period
 - Being satisfied there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils and the likely supply and future demand for places in the medium and long term
 - The overall quality of alternative places in the area balanced with the need to reduce excessive capacity
 - The local context in which the proposals are being made, taking account the nature of the area, the age of the children involved and any alternative options for reducing excess surplus capacity
 - The impact of any proposal on local integration and community cohesion objectives
 - Will the decision unreasonably extend journey times or increase travel costs or result in too many children being prevented from being able to travel sustainably
 - The effect on the balance of denominational provision in the area including the pupils currently on roll and the medium and long term need for places (where denominational provision is being included in the proposals)
 - Is the school a focal point for family and community activity providing extended services for a range of users? If so provision should be made for the pupils and their families to access similar services through their new schools or other means.
81. The cabinet decision in relation to these proposals has to be made within two months of the close of the representation period of the publication of the statutory proposals, or the decision has to be referred to the Schools Adjudicator to make. If the decision is made to approve the proposals to close the school, the 2006 Act requires these to be implemented by the council.
82. The cabinet needs to apply the public sector equality duty in section 149 Equality Act 2010 in making this decision, which requires it to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Cabinet should refer to the community impact paragraphs above. An equalities impact analysis has been

produced and needs to be considered by the cabinet in making this decision.

83. The cabinet member also needs to have regard to the council's statutory duty under section 14 of the Education Act 1996 to secure that sufficient schools for providing primary and secondary education are available for their area. The report clarifies the availability of places at Camelot School as a result of the amalgamation and places available at alternative schools in the event of the closure of Cobourg School.

Strategic Director of Finance REF: [CAS23/23]

84. The strategic director of finance notes the proposal to amalgamate Cobourg Primary School and Camelot Primary School entailing the closure of Cobourg Primary School. Maintained schools receive the majority of their funding via the Dedicated Schools Grant, which is broadly distributed on a per-pupil basis. As a result, falling rolls over a period of time can result in significantly reduced grant income, which can impact the ability of a school to balance its budget whilst maintaining teaching and learning standards at the school.
85. In the case of Cobourg Primary School, the financial strain due to falling rolls is compounded by its location where there are significant surplus places across the maintained school estate. Schools in financial difficulty contribute to wider financial stresses within the maintained schools estate and so it is important that the financial position of all schools are reviewed regularly to ensure they are living within their means.
86. Section 22 of the Schools and Standards Framework Act (SSFA) 1998 sets out the Local Authority's responsibilities with respect to the funding of schools and includes a duty to defray all the expenses of maintaining a school. Whilst the financial management of maintained schools is delegated to their governing bodies, ultimate responsibility lies with the local authority and it is incumbent upon officers and members to ensure robust governance and controls are in place, both with respect to falling rolls and financial deficits, to limit any further exposure to financial risk arising from schools in deficit.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Opening and closing maintained schools Statutory guidance for proposers and decision makers January 2023	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1131568/Opening_and_closing_maintained_schools_Jan_2023.pdf		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. 2021 – DfE	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf		
Integrated Communities Government Action Plan, February 2019	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778045/Integrated_Communities_Strategy_Govt_Action_Plan.pdf		
The Essential Guide to the Public Sector Equality Duty – EHRC July 2014	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf		
Managing Surplus School Places in London (2023) – London Councils	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558

Background Papers	Held At	Contact
Link (please copy and paste into browser): https://www.londoncouncils.gov.uk/our-key-themes/children-and-young-people/education-and-school-places/managing-surplus-school-places		
Pupil Places Planning Report 2022, Southwark Council, October 2022	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s109543/Report%20Annual%20School%20Place%20Planning.pdf		
Keeping Education Strong Strategy - Strategy for future proofing primary schools and protecting the quality of education in Southwark	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s110486/Appendix%201%20Place%20planning%20across%20Southwarks%20Primary%20Schools%20A%20strategy%20for%20future-%20proofing%20quali.pdf		
Keeping Education Strong Recommendations	Education Directorate 4 th Floor, Children and Adult Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s114705/Report%20Keeping%20Education%20Strong.pdf		

APPENDICES

Number	Title
Appendix 1	Map showing the location of Cobourg Primary School
Appendix 2	Statutory Notice for Closure
Appendix 3	Statutory Proposal
Appendix 4	Decision Flow Chart
Appendix 5	Equality Impact and Needs Assessment

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Education and Refugees	
Lead Officer	David Quirke-Thornton Strategic Director of Children and Adult Services	
Report Author	Nina Dohel, Director of Education	
Version	Final	
Dated	27 June 2023	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance & Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	27 June 2023	