

Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Closure of Comber Grove Primary School
Cabinet Member:	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Education and Refugees
Ward(s) or groups affected:	St George's
Classification:	Open
Reason for lateness (if applicable):	Not Applicable

FOREWORD – COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE, EDUCATION AND REFUGEES

Comber Grove Primary School Recommendation

Schools are at the heart of our communities in Southwark, so it is with great sadness that I ask Cabinet to approve the attached proposal to close Comber Grove Primary school. Education in Southwark has never been stronger following our £200m investment in school buildings and the subsequent 98% Ofsted Good or Outstanding ratings. Yet steep demographic change in the capital present real challenge.

Keeping Education Strong

In December 2022 Cabinet considered the report Keeping Education Strong – the strategy for future proofing primary schools and protecting the quality of education in Southwark. This outlined the strategy to address the issue of falling school rolls brought about by steep demographic changes. Falling birth rates, the uncertainties of Brexit, increased costs of housing, the cost-of-living crisis and the pandemic are all factors that have seen up to 35% of families leaving London.

The Keeping Education Strong Plan came back to cabinet in June 2023 with a list of schools identified by the schools and the council's education team for pupil place reduction, amalgamation or closure. The plan was to work with Comber Grove to amalgamate or close.

Consultation

All stakeholders in the community were invited to participate through attending consultation meetings or to provide written feedback if preferred. This took place between November to December 2023. 173 written responses were received with 91% not in support of closure of this number 73% were women and 66% came from Global Ethnic Majority backgrounds with 15% of respondents had a disability.

The parents and staff at the school ran a strong campaign and the council looked at different ways that the school could remain open for longer. I received a petition from parents asking for the school to remain open on the basis that the consultation was not inclusive, and some families felt that their concerns were not heard.

The consultation was extended, and the council put on extra meetings at the school. Comber Grove is clearly loved by the local community, the governors and families and children. Table 6 in the report provides the detail of questions and answers following the additional meetings.

After serious consideration of all the consultation responses, and key consideration of the equalities impact assessment, the recommendation remains for the school to close in August 2024.

If the school were to remain open it would be running with 42% of empty school places. The school just isn't financially sustainable. With neighbouring good and outstanding schools being in the area and able to meet the needs of children and families from Black, Asian Minority Ethnic backgrounds, as well as being able to meet the need of children with special education needs, it is felt that children and families will benefit from a stronger offer.

Key considerations

Comber Grove was until 2019 a 1.5 form entry primary school with a Pupil Admission Number (PAN) of 45, when due to falling rolls was reduced by to a PAN of 30. Despite this, rolls have remained low at the school. Reception numbers have fallen to 17 in 2023-24 and are not anticipated to increase in 2024-25 or in the foreseeable future.

Across the school in all year groups, there are 140 pupils and 100 vacancies leaving around 42% of places vacant, some way above the Southwark average of 17%. The link between pupil numbers and school funding would mean that the cost of teaching staff, equipment and enrichment activities would be unaffordable.

Support for children, families and school staff

All children attending Comber Grove can be accommodated at local good or outstanding schools. There are 130 reception vacancies, and 818 year reception to year 6 vacancies within 0.7 miles.

The aim is to bring stability for staff and children the education team want to conclude this process in time for the start of the next academic year in September 2024.

If the closure is agreed the school building will be repurposed for education activities.

Conclusion

The issue of falling roles and a low birth rate is not unique to Southwark, it is a regional and national problem.

Falling school rolls is an issue that we have decided to proactively and strategically meet head-on, to support our parents, children and school staff through a difficult challenge. As we've said many times, closure is always a last resort and, as our Keeping Education Strong strategy demonstrates, it is one we actively seek to avoid. As is the case at Comber Grove, we know that change can be unsettling, that is precisely why our education team will continue to be here to support teachers, parents and pupils through any changes.

I have been reassured by our education team that teaching staff, families and pupils will be held while alternative schools are found.

We are not the only authority affected by this – we are the first to apply a comprehensive strategic approach. It is hoped this work will be instrumental in supporting our schools and communities through this difficult and challenging time. It will enable us to be ready in future years for further demographic shifts, in the event we see fewer or more pupils in Southwark.

RECOMMENDATION

Recommendation for the Cabinet

1. That the Cabinet agree to the proposal for the closure of Comber Grove Primary School from 31 August 2024.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

2. The Council assessed the following possible options for the school, going forward.

Table 1 – Options Appraisal for Comber Grove

Option	Appraisal
Status quo	Not taking action would be likely to result in the financial position of the school becoming increasingly difficult and education standards declining.
Further Published Admissions Number (PAN) Reduction to 0.5FE	A school with an overall roll of 105 would not be financially viable – and would lack the resilience larger schools have to cover for staff absence and resource deployment.
Forming a hard federation with another school	A hard federation would not substantively address the low rolls the school is presently experiencing – staff cost savings would be minimal
Amalgamating with another school, entailing the closure of the school.	No one nearby school can accommodate all the children and in any event the wide geographical spread of pupils across the area means that parents are likely to choose between a range of different schools
Entering into an arrangement with a Multi Academy Trust	A decision for the school to join a MAT would ultimately be for the school, the MAT and the Department for Education’s Regional Schools Director. However, Southwark would not support this as this would not address the falling rolls issue at the school and in the local area.
Closure of the school	This is the preferred option for consultation on the basis that it will prevent a decline in education standards for the pupils currently attending the school, as well as strengthening other local schools by taking out surplus capacity.

POST DECISION IMPLEMENTATION

3. If closure is agreed, then the school will close on the 31 August 2024.

BACKGROUND INFORMATION

4. Comber Grove Primary School is a one form Entry (1FE) primary school, situated in Camberwell, in the council's Camberwell Green ward. For place planning purposes, the school is located in Southwark pupil place planning area 4 (PA4 - Camberwell). A map showing its location and neighbouring schools in the locality can be found in Appendix 1a of this report.
5. The school was, until 2019, a 1.5FE primary school (PAN of 45), when, due to falling rolls, the PAN at Comber Grove was reduced by 15 to 30, on application to the Office of the Schools' Adjudicator (OSA). Despite this, rolls have remained low at the school. Reception numbers fell to 14 in 2023-24 and were estimated to remain at a similar level in 2024-25, and for the foreseeable future, if the school were not to close. As school funding is based on the number of children on roll, resources available for the school are reducing. It is a core principle of the Council to protect the LA's high quality of education - this may be compromised where the cost of staff, equipment and enrichment activities becomes unaffordable.
6. Falling numbers of primary pupils remains a serious issue for many schools right across the capital. London Councils (2023), in their publication "Managing falling school rolls in London" stated that *'London local authorities and schools are currently 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'*.
7. In December 2022, Cabinet agreed a Strategy to address this issue: *'Keeping Education Strong: Strategy for future proofing primary schools and protecting the quality of education in Southwark'*, and Members were updated as to progress on this in June 2023. The last Southwark Place Planning report in October 2023 noted a substantial reduction in primary pupil numbers across the authority area in the last 5 years, particularly in the Camberwell locality (Planning Area 4), as well as a projected continuation of this reduction at least until the end of the decade. Preliminary figures based on offers and take up for September 2024; show a drop in the numbers of pupils taking up a reception place for the next academic year both at the school and in the immediate locality. As at the January 2024 Schools' Census, there were 584 (17%) primary reception vacancies in Southwark.
8. This drop in numbers is having a severe impact on schools' finances (both Comber Grove and others), as school funding is based on the quantity of children on roll - whilst rolls are falling, schools have to continue to pay for maintenance of buildings and staffing structures for more places than there are pupils.
9. Options explored for Comber Grove Primary School included amalgamation with other nearby primary schools. This would have entailed the school closing and all pupils offered a place at another local school.
10. While there are places available for all children nearby, no one school has sufficient space to accommodate all the children. In any event, the geographical spread of schools across the area means that parents would be likely to choose between a range of different schools. These local schools, which are also challenged by the reduction in the primary school age population, would be

expected to benefit from pupils moving to their school as a result of Comber Grove closing.

11. The statutory process to close a school is set out in the Department for Education’s statutory guidance document ‘*Opening and closing maintained schools statutory guidance for proposers and decision-makers*’ (2023). The process includes five stages as follows:
 - *Stage one – Consultation* **(Already undertaken)**
 - *Stage two – Publication* **(Already undertaken)**
 - *Stage three – Representation* **(Already undertaken)**
 - *Stage four – Decision* **(This report requests this)**
 - *Stage five – Implementation*

12. Consultation on the closure of Comber Grove Primary School occurred for 6 weeks in November to December 2023, after the Cabinet Member for Children, Young People Education and Refugees approved a decision to consult in October 2023. Having considered the representations made, approval was then given to proceed to the next phase of the statutory closure process - to publish the proposal to close the school, followed by a four-week period during which interested parties and stakeholders are able to make representations. The representation period ran from April 15 to May 13 2024. Feedback from this and previous consultation has been summarised in this report in paragraphs 32 to 39, and takes into account all representations that were made during the pre-publication consultation and the publication of the statutory proposals. Stage 4 is the decision made by Cabinet, whether to close the school, and Stage 5 – should the Cabinet agree to the closure– would be the formal closure itself on the 31 August 2024.

13. The timetable for the activities outlined in paragraph 9 outlined above is given in tabular format below. This is considered in detail from paragraph 29 onwards.

Table 1 – Process for closure

Stage	Dates
Stage 1: Statutory Consultation with interested parties	6 November to the 24 December 2024 (Already Undertaken)
Stage 2: Publication	April 15 2024 (Already Undertaken)
Stage 3: Representation	April 15 to May 13 2024 (Already Undertaken)
Stage 4: Cabinet decision	18 th June 2024
Stage 5: Implementation	31 st August 2024

KEY ISSUES FOR CONSIDERATION

14. The key factor to consider is the continuing fall in roll and pupil numbers at the school. Overall, the school’s roll at reception has fallen from 46 in 2015-16, to 14 in January 2024 – a reduction of 70%.

15. The roll in 2015-16 in all year groups (R to 6) was 308, and in January 2024, totalled 126, a reduction of 59%. Vacancies at the school overall across all year groups have risen from 7 in January 2016 (2%) to 114 (48%) in January 2024. The 2023-2024 roll by year group and the vacancy number for each are

given below for Comber Grove School. As mentioned in paragraph 3, the school was formerly a 1.5FE school, but reduced its PAN from 45 to 30 via an application to the Office of the Schools Adjudicator (OSA) in 2019-20 - this accounts for the different PANs in years 5 and 6.

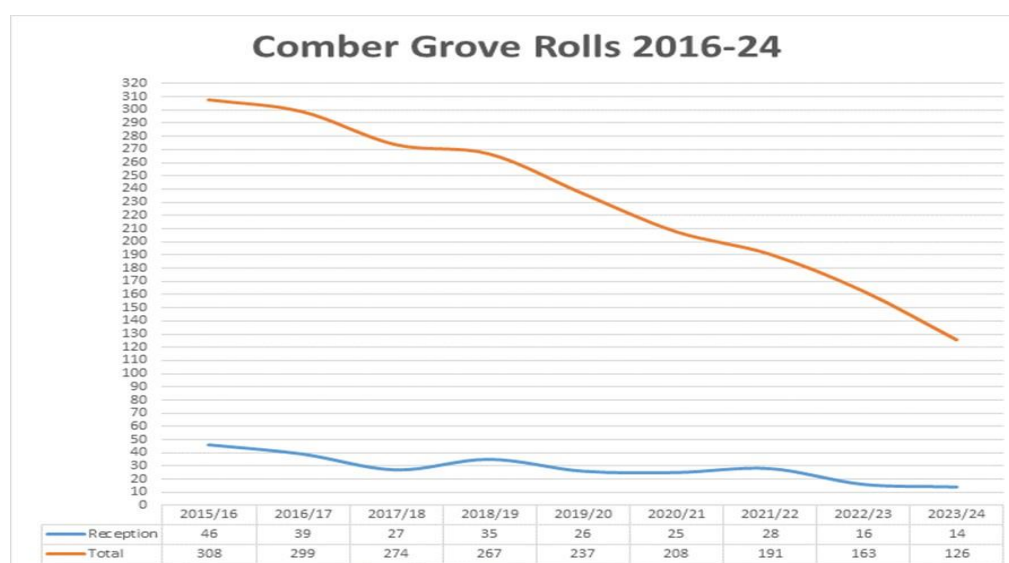
Table 2 Comber Grove Roll 2023-24 by Year Group

Year	R	1	2	3	4	5	6	Total
PAN 2023/24	30	30	30	30	30	45	45	240
Roll	14	14	20	21	19	19	19	126
Vacancies	16	16	10	9	11	26	26	114

16. The school therefore presently has 114 vacancies across all year groups, 48% of the available roll. Reducing the PAN from 45 to 30 did not substantively address overcapacity, and numbers have fallen substantially, as can be seen in the table below. Cohorts admitted to the school (colour coded) lose pupils in most year groups, sometimes dramatically – the September 2018 reception intake of 35 is now a Y5 cohort of 19 – a reduction of 46%. It needs to be said that the reduction in rolls predates the announcement of consideration for closure and/or merger of the school in December 2022.

Table 3: Pupils by year group 2016-2024 (at Census time)

Year	R	1	2	3	4	5	6	Total
2015/16	46	45	43	45	45	43	41	308
2016/17	39	44	43	41	45	46	41	299
2017/18	27	38	41	40	41	44	43	274
2018/19	35	24	38	45	39	42	44	267
2019/20	26	32	24	36	42	36	41	237
2020/21	25	24	27	23	35	39	35	208
2021/22	28	27	25	24	16	34	37	191
2022/23	16	23	28	26	21	18	31	163
2023/24	14	14	20	21	19	19	19	126

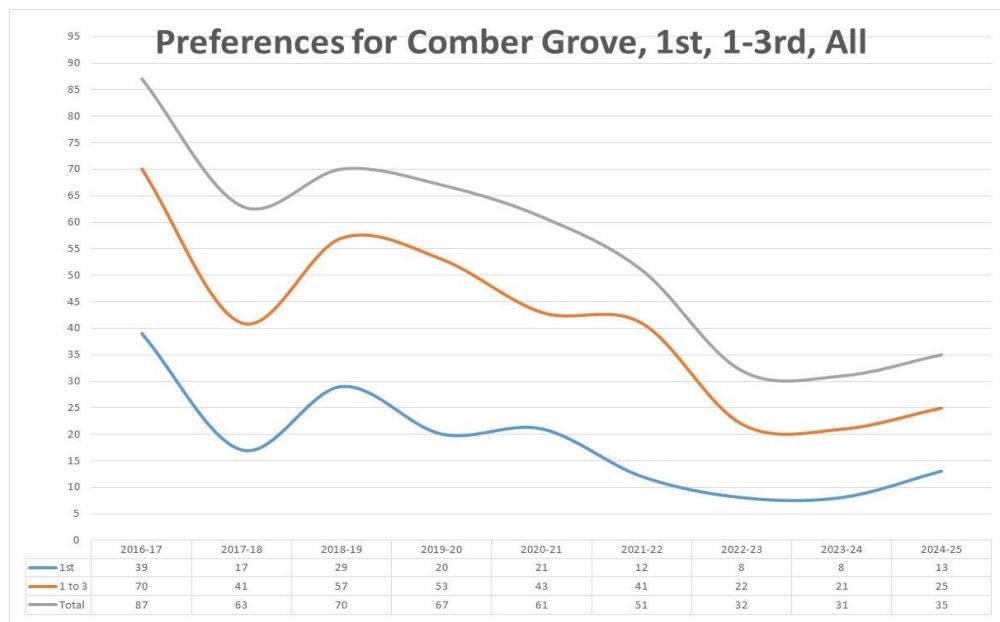


17. Applications to the school at reception have also fallen considerably. Since 2016, the overall number of applications has fallen from 87 to 35, a reduction of 60%.

Similarly, for first preferences, numbers have reduced by 67%, and 1st to 3rd preferences by 64%.

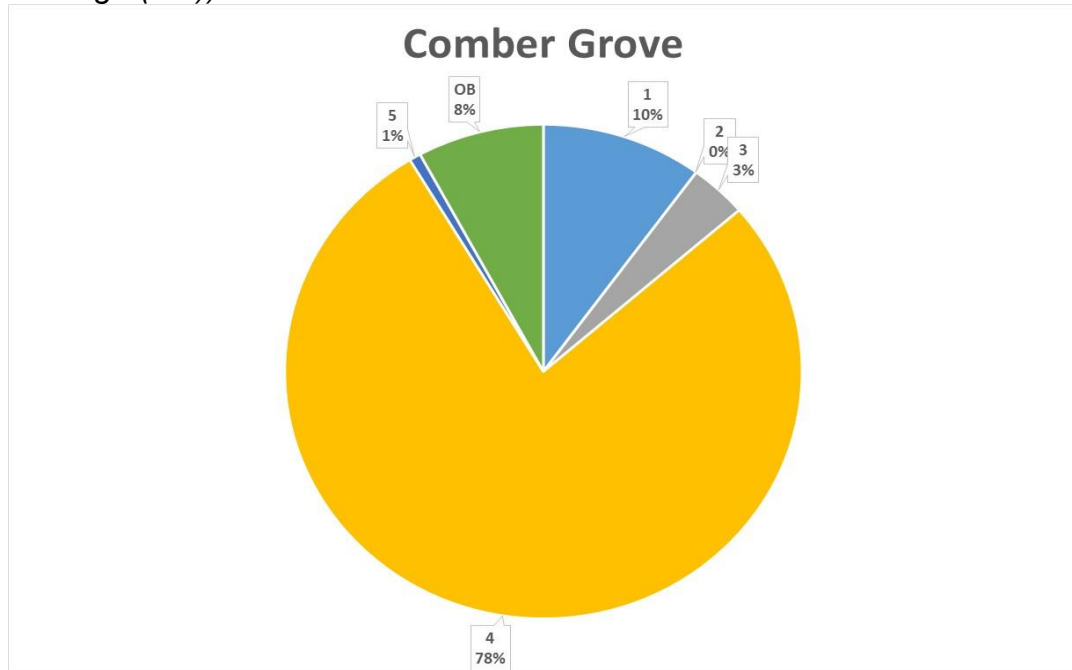
Table 4 – Applicants to Comber Grove 2016-2024

Year	1 st	2 nd	3 rd	4 th	5 th	6 th	Total	PAN
2016-17	39	14	17	8	4	5	87	45
2017-18	17	16	8	9	11	2	63	45
2018-19	29	19	9	5	5	3	70	45
2019-20	20	10	23	6	4	4	67	45
2020-21	21	13	9	7	8	1	61	30
2021-22	12	18	11	6	3	1	51	30
2022-23	8	5	9	5	3	2	32	30
2023-24	8	9	4	7	1	2	31	30
2024-25	13	7	5	4	5	1	35	30



- The origin of most pupils is from Planning Area 4 (78%) and, of these, the great majority (73%) come from the Camberwell Green ward. Of the non-PA4 pupils, the biggest proportions come from PA1 (Borough, Bankside and Walworth), an area that has also seen a considerable drop in numbers and births. A heat map of the location of most pupils at the school is shown in Appendix 1b of this report.

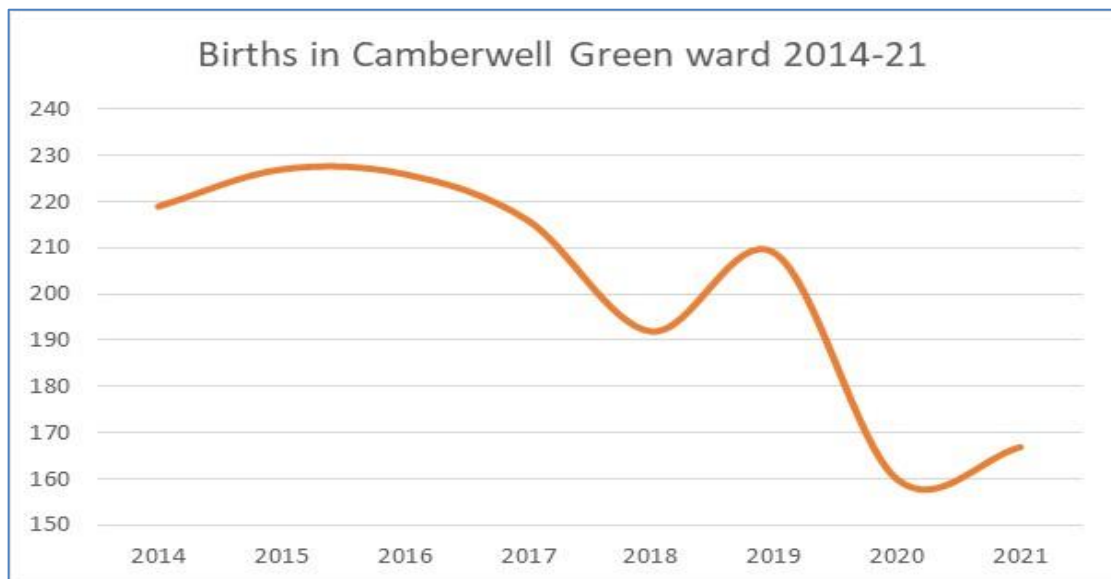
Figure 1 - % of pupils by Planning Area of residence (PAs 1-5 or Out of Borough (OB))



19. Births in the Camberwell Green ward – where the school is situated and where over 73% of its pupils come from – have reduced since 2016 by 59 – 26% lower in 2021 than previously. This would normally lead to a reduction in reception roll four years hence, meaning there will be a further drop in 2024 of around 49 births (23%) and consequentially pupil numbers at the school.

Table 5 – Births in Camberwell Green ward 2014-21

Year	2014	2015	2016	2017	2018	2019	2020	2021
Births	219	227	226	216	192	209	160	167



20. In respect of future projections, the Greater London Authority (GLA) project that, if nothing changes:
- *Rolls at Comber Grove Primary will fall by a further 33 pupils in the next 5 years – a 24% reduction on existing numbers by 2028/29*

- Reception rolls in the locality - the planning area (PA4) surrounding the school – fell by around another 140 pupils (a 22% reduction) between 2016-17 and 2023-24, and are projected to fall further by 78 pupils from 2023-24 to 2028-29 (17%)
- Year R to 6 rolls in PA4 fell by 665 pupils (16%) between 2016-17 and 2023-24, and it is projected that there will be a further 744 fewer pupils overall (21%) from 2023/24 to 2028/29
- Births in the Camberwell Green Ward are projected to remain at the same (low) level from 2021 to 2031 – this will eventually feed through to a substantial reduction in reception pupils.

21. If Comber Grove were not to close in August 2024, the roll estimates for following year's year group totals would be as shown in the table below, with vacancies remaining at 48% of the whole roll.

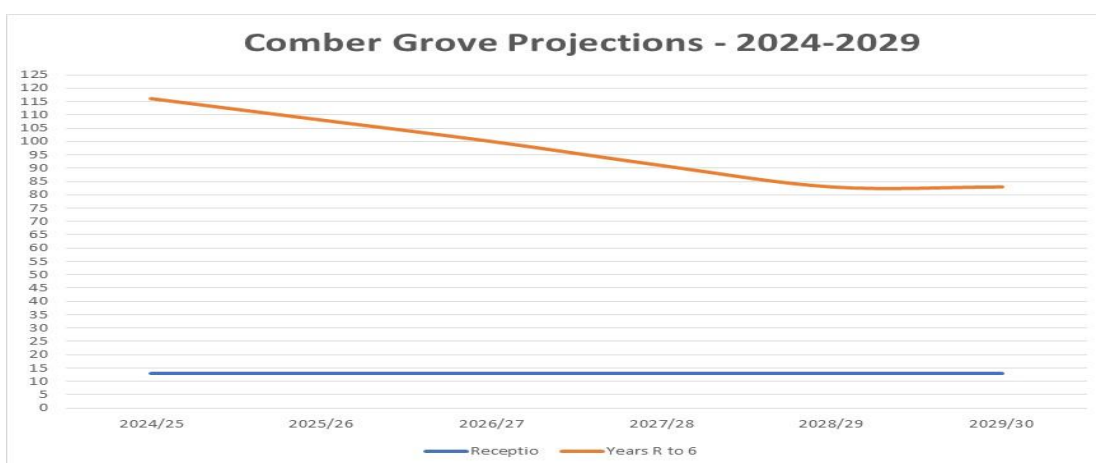
Table 6 Comber Grove Roll 2024-25 projected roll and vacancies

Year	R	1	2	3	4	5	6	Total
PAN 2024-25	30	30	30	30	30	30	45	225
Roll	13	13	14	19	20	19	18	116
Vacancies	17	17	16	11	10	11	25	109

22. Under the latest projections from the GLA updated with the latest admissions figures, year groups 1-6 would similarly fall and projection from the GLA show that numbers would fall below 100 in 2027-28.

Table 7 – Projected rolls by year group 2024-2029

Year	R	1	2	3	4	5	6	Total
2024/25	13	13	14	19	20	19	18	116
2025/26	13	12	13	13	19	20	18	108
2026/27	13	12	12	13	13	18	19	100
2027/28	13	12	12	12	12	13	17	91
2028/29	13	12	12	11	11	12	12	83
2029/30	13	12	12	12	11	11	12	83



23. Comber Grove is situated in the place planning area 4 (PA4), which covers the Camberwell area and has seen a substantial growth in surplus places in Southwark. Presently, there are 125 (5FE) reception places surplus in PA4 - 21% of all available reception places. Overall, Year R to 6 vacancies total 903, around

20% of all available places in schools.

24. Additionally, the school has in recent years performed poorly at KS2, and in Summer 2023, scored some way below Southwark, London, and national averages, which has contributed to a lower than average recruitment to reception.
25. All of these factors combined means that pupil numbers at Comber Grove are unlikely recover in the near future, and that the school is likely to fall further into a state of organisational, economic and financial unviability, with consequent effects on standards and quality.
26. As schools are funded primarily on a per pupil basis, falling rolls result in reduced budgets – a 25% fall in numbers by 2028 would lead to a commensurately reduced budget, which would, in turn, impact on the resources available to support a high quality of education.
27. In considering the closure of a school, Southwark is required to follow the Department for Education's (DFE) guidance: "*Opening and closing maintained schools, Statutory guidance for proposers and decision-makers* (January 2023). This sets out a five-stage process as outlined in paragraph 29 to 30. In line with the Department for Education's (DFE) guidance, the decision makers for the closure of a state funded school (whether this is a community, foundation or voluntary aided school) is the Council. In respect of the council's constitution, and as a community school, Southwark Council is the Proposer, and Southwark's Cabinet is the decision-making body.
28. The council as Proposer closely followed the statutory process outlined in the guidance above for closing a maintained school prior to the cabinet being required to make a decision of whether the school should close, There are five stages to this process, which are covered in paragraph 10 of this report.
29. Southwark Council held a series of informal, information sessions during Autumn term 2023 with parents of children at the school, staff and key stakeholders to explain the situation that the school was in and to explain that a formal process to consult on proposal for closure was being considered.

The procedure for the consideration of a school closure

The pre-publication consultation (Stage 1)

30. The council undertook Stage 1 of the statutory process outlined in paragraph 10 – "Statutory Consultation" with interested parties, in November 2023 and December 2023. The Lead Member considered the results of the consultation in March 2023, and, as a result, decided to move to Stage 2 (publication) and Stage 3 (representation) of the process, to publish formal closure proposals and to invite formal comment on these proposals from stakeholders in April 2024.
31. It is a statutory requirement for the proposer (in this case the Council) to consult any parties they think appropriate before publishing statutory proposals. Numerous events to consult all stakeholders on the proposals were undertaken, including meetings with parents and carers

32. The process included a statutory element of consultation that lasted for a total of 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 council to seek the views of and engage with those that could potentially be affected by the proposed closure of Comber Grove Primary School.
33. It was also an opportunity for interested parties to suggest other options for consideration on the proposed closure of Comber Grove Primary School in August 2024. In addition to this, the council 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, the City of London, Bromley, Tower Hamlets, Lewisham, Croydon, Wandsworth, and Westminster)*
 - *The local Southwark councillors and MP*
 - *The Southwark Diocesan Board of Education (SDBE) and the Catholic Diocese*
 - *Appropriate trade Unions (via existing consultation forums).*
34. Consultation was undertaken by:
- *Placing a note on the school website containing the consultation documents.*
 - *Setting up an email address to allow for parents, carers and stakeholders to feed back on the pre-consultation proposals (questions.education@southwark.gov.uk)*
 - *Distribution of a paper form for stakeholders to respond to.*
 - *An email to the stakeholder groups listed above*
 - *Six consultation meetings for parents, carers, community and stakeholders were held in November and December 2023*
 - *Extensive consultation with staff, and their professional associations/trade unions were undertaken via the usual consultation forums and meetings at the school.*
35. All stakeholders in the community were invited to participate through attending consultation meetings in November 2023 as well as providing feedback via a survey (written, or online if preferred).
36. This formed Stage 1 of the statutory process. The above survey asked whether respondents agreed with the proposals, how the proposals would affect them, and for any counter-proposals. Comments were invited by electronic form, email or in person at a public meeting.
37. 173 written responses were received for this consultation, 157 of which (91%) did not support the proposed closure, one (1%) was unsure and 15 supported the proposal (9%). Of the 169 online respondents, 117 of those who responded to this question (73%) were women, and 89 responses (66%) came from Global Ethnic Majority (GEM) backgrounds.
38. 24 of the respondents had a disability (15%); the largest proportion (43%) came from the age range 35-44 (64 responses). 73 respondents were parents or carers (50%), with 41 from local residents (28%) and 17 from staff members (12%). Four

email objections were also received against the closure, but we were unable to ascertain the characteristics of these respondents. Given the figures above, it was felt that the respondents to the survey were probably a broadly representative sample of the local community. Additionally, a petition against the school closure was received with 187 signatures on it, as well as 38 letters from pupils at the school. 19 letters were submitted separately via the school concerning consultation arrangements. Additional meetings were held as a consequence of the issues raised, including a meeting with an interpreter for those whose first language was not English.

39. A number of points were also raised at a public meetings held in November and December 2023 - these have all been combined with the online and written responses, as well as responses from pupils. A summary of the broad points made across all consultation methods is included in the table below, as well as the LA's response to each issue.

Table 9 – Issues raised and alternative proposals

Issues raised	LA response
The place of the school in the community	All of our schools we hope are at the centre of their respective communities, and this closure will strengthen the viability of the remaining schools
The work the school does with SEND pupils and the high percentage of the latter	The Council recognises the work the school does with SEND pupils, but SEND pupils would benefit from a greater amount of resources than the school can afford, due to its low pupil numbers
Anxiety over a proposed closure and allocation of alternative places in the locality/anxiety over a proposed move to another school, including transport	A dedicated officer has been deployed to assist in ensuring all pupils at the school transfer to a school of their choice, and ensure this is within a reasonable travelling distance. Where possible, friendship groups, will be maintained.
Concern over pupils changing curriculum before SATS	Children will be properly integrated into new schools and appropriate support provided to ensure the best performance
Concern for future employment	Vacancy rates for education staff in London are at a record high (DfE, School Workforce data),. Southwark Schools HR have worked previously with closing schools to successfully support staff to move on to employment elsewhere in the borough and beyond.
Concern that nearby schools do not have sufficient places, or sufficient places of the right type	As mentioned elsewhere in the report, there are over 800 spare places within 0.75 miles of the school, across a variety of settings, including religious and non-religious schools. There are a further 400 vacancies at Lambeth schools in the locality. Schools with a religious basis with pupil vacancies cannot (and indeed do not wish to) turn children away. Once a child has been admitted to one year group, then the sibling rule applies.
Cost implications of a move to a new school,	A number of parents will be closer to a different school, and indeed, as there are 11 other Southwark

Issues raised	LA response
including transport and uniforms	schools within walking distance of Comber Grove, we do not expect parents and carers to have to take a bus to a new settings. In previous mergers and closures, assistance has been offered with new uniforms.
Concerns regarding transitions for pupils with SEND and regarding children's well-being in moving to another school	A dedicated Admissions Officer has been provided to manage all transitions in close cooperation with the SEND team. This has worked smoothly with previous mergers and closures. As at January 2024 there were two children with EHCPs at the school.
Issues raised around equalities, impact on climate, including longer journeys	The closure of a single school is unlikely to have a substantial effect on climate, given the preponderance of other schools in the locality. In terms of equalities, a full equality impact assessment has been undertaken (see Appendix 3)
Alternative suggestions	
Turning the school into a specialist hub for SEND or training teachers	The Council is considering future education and community options for the use of the building.
Merger or federation with another school	No schools have come forward or have been identified that could or wish to merge or federate with Comber Grove. Federation would not solve the low numbers at the school
Postponement of closure to allow the school to increase numbers	Postponement is unlikely to benefit the school in the short to medium term – outmigration and a fall in births mean that a return to viability is very unlikely
Renting areas of the school out for commercial use.	The small income generated from this activity is unlikely to be sufficient to bridge the financial gap caused by a considerable fall in rolls
Replacement of existing SLT with a new management team	The school's viability is our greatest concern. Changing the leadership of the school would not be expected to significantly reverse the decline in numbers attending the school.
Introduction of a breakfast, after schools and holiday clubs to generate income and pupils	Where schools have these in situ, they rarely generate a surplus with the income being needed to cover the not inconsiderable outlay required to run them. The effect on pupil recruitment is generally marginal

40. After careful consideration of all the above responses and the numerous alternative suggestions, as well as the options proposed in paragraph 23 for Comber Grove, the Lead Member's recommendation in March 2024 remained to proceed with the closure of Comber Grove from August 31 2024
41. No representations were received from neighbouring councils, the Southwark Diocesan Board of Education (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.

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

42. As noted in paragraph 38, after careful consideration of the feedback and comments received, the Lead Member agreed to publish formal closure notices – stage 2 of the process. Southwark Council then proceeded to the next, formal stages of the process from the 15 April 2024 to the 13 of May 2024. Formal notices (Appendix 2) were published and displayed at the school, placed on the school website and in the local press, inviting comment on the statutory proposal (Appendix 3) – this completed stage 3 of the statutory process.
43. As at the 15 May 2024, one representation (an objection) was received at Stage 3 by the local authority from a parent. The representation received stated that they felt that “statutory procedures have not been followed and important information has been concealed from parents”.
44. The nature of which statutory procedures were not followed was not stated, nor was how the LA had allegedly concealed information (or indeed what important information was concealed from parents) was also not outlined. The LA is of the opinion that they have fully followed the statutory procedure. Appendix five covers the relevant aspects of the statutory guidance and how Southwark has met these.

Cabinet decision (Stage 4)

45. Stage 4 involves the writing and submission of this report following the Lead Member’s agreement to publish closure notices, taking into account, any representations that made during the pre-publication consultation and the publication of the statutory proposals in April 2024.
46. In line with the statutory guidance, the decision maker is the cabinet of the council. As such, cabinet is able to:
 - *Agree the closure proposal as outlined in the report*
 - *Agree the closure proposal with modifications*
 - *Refuse the closure proposal*
47. If cabinet does not take a decision on the school closure within 2 months of the expiry of the formal notice (i.e. by the 15 July 2023), the matter would then referred to the Office of the Schools Adjudicator (OSA) for final decision.
48. The following bodies have the right to have the decision referred to the OSA, 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 specified in the proposals*
49. As Comber Grove Primary School is a community school, no right in law exists

for them to refer the proposal to the OSA independently.

Formal closure of the school (Stage 5)

50. Stage 5 – should the cabinet agree to the closure of the school - would be the formal process of the school. If cabinet agrees to the proposals to close, this will be effective from 31 August 2024.

Actions and activities undertaken for the pupils, parents and carers affected

51. The local authority, as the body responsible for school admissions in Southwark, has had to plan for every eventuality to ensure that all children attending Comber Grove Primary School have a school place for September 2024 in the event that a decision is made to close the school. The 19 children in Y6 would be proceeding to secondary school in any case.
52. This leaves 107 pupils in years R to 5, and 13 applicants for reception in 2024-25 to be accommodated in other schools. Some parents have already found alternative schools themselves, but a great deal of support has been offered to parents, carers and pupils to manage the transition – should it be decided that the school should close – from Comber Grove Primary School to other schools. This has included a dedicated admissions officer who is working with parents on a one to one basis to locate places at alternative schools within a reasonable distance of the school or where they are located. Similarly, children with transport or special educational needs are being fully supported to make this transition.
53. Education staff, including admissions attended Comber Grove parents' meetings at the school in November 2023, and parents were invited to attend the meeting that suited them. Parents were informed that the council would be providing them with a timetable, and an application form and explanatory letter, which would include contact details. The application form gave parents an opportunity to express a preference for two local schools.
54. Parents were also provided with a list of local schools showing availability and set times/dates they could visit individual schools. Follow up meetings took place to discuss the documents and to go over the process. It should be noted that, there are eleven Southwark schools within 0.75 miles of Comber Grove Primary School - all within a reasonable walking distance.
55. At the beginning of 2024, these schools had around 800 vacant school places across Reception to Year 6, 485 of these (60%) are in schools that are non-denominational.

Actions undertaken for the teachers and non-teaching staff affected

56. The situation at the start of the process was that the council informed their staff at the earliest possible opportunity that there was a potential that the school would close in September 2024. The trade unions were also involved at this stage. A number of staff consultation events, led by Southwark Council were amongst the numerous consultation events for stakeholders.

Policy framework implications

57. With regard to the Council's council delivery plan, the closure of the 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. 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 on where most demand is concentrated.

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

Community impact statement

58. The Public Sector Equality Duty, at section 149 of the Equality Act, 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.
59. Public bodies need 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. Decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all. The council's "Approach to Equality" commits the council to ensuring equality is an integral part of our day-to-day business. "Protected characteristics" are the grounds upon which discrimination is unlawful.
60. 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. In terms of age, disability, race, religion or belief.
61. An Equality Impact and Needs Assessment (EINA) has been completed and is attached at Appendix 4. 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 Southwark council 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.
62. 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

63. The council's "Approach to Equality" commits the council to ensuring equality is an integral part of our daily business. "Protected characteristics" are the grounds upon which discrimination is unlawful. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
64. 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 the context of a school closure.
65. As regards age, disability, race, religion or belief, and gender, the question is raised in the EINA whether the closure of the school will have a disproportionate effect on any of the protected characteristic groups, and whether not closing the school would have a detrimental or beneficial effect. In terms of age, children of statutory school age and staff will not be disproportionately affected. Similarly staff and pupils of any gender will be affected similarly, given all primary schools in Southwark are co-educational. Notwithstanding the large number of women on the workforce of the school, this is similar in all primary school settings in Southwark.
66. The school not a voluntary aided school, so the proposed closure will have a minor effect on the availability of places of a religious nature in Southwark. There are numerous vacancies at nearby C of E and RC school nearby for those who wish a religious education for their children, and numerous secular places for those who do not. The closure of Comber Grove will have a minimal effect therefore on choice as regards religious or secular education. Potential negative impacts were identified as regards Disability - Special Educational Needs (SEND). If the school closes, then the LA will work with children displaced by the closure to find an appropriate placement at the numerous schools with vacancies local to where they live, including those with Education, Health and Care Plans (EHCPs) or classified as SEND Support. Absolute numbers of pupils with EHCPs (2) and SEND plus (22) and percentages are low compared to neighbouring schools, and the borough average.

Table 10 EHCP/SEND Plus numbers/percentages at schools near to CGPS

School	EHCP	SEND Support	EHCP %	SEND Support %
Comber Grove	2	22	1.4%	15.8%
St Joseph's Junior RC	9	31	4.0%	13.9%
St Joseph's Infants RC	1	21	1.0%	21.2%
Brunswick Park	20	73	5.0%	23.3%
John Ruskin	52	62	10.9%	13.0%
Crawford	5	110	1.3%	29.4%
St George's CE	13	26	8.3%	16.7%
St Paul's CE	3	35	1.6%	19.2%
St Peter's CE	7	18	4.5%	11.6%
Lyndhurst	17	52	4.0%	12.2%
Michael Faraday	12	94	2.8%	21.9%
Keyworth	13	29	3.8%	11.4%
Planning Area (PA4)	166	584	4.2%	14.9%
Southwark Total	854	3,585	4.0%	16.6%

67. Work undertaken with EHCP/SEND Support pupils in previous closures and mergers has resulted in the vast majority of pupils moving to schools of their choice and appropriate to their needs. The same approach will be used for Comber Grove - individual support will be provided to children with disabilities including reviewing EHCPs and discussing transition arrangements between schools. No other differential negative impacts have been identified, so no further mitigating or improvement actions are proposed in this category.
68. In terms of race, in contrast to other schools in Southwark, there are a similar proportion of Global Ethnic Minority (GEM) children at Comber Grove, but the numbers of GEM pupils at the school are less than other Southwark primary schools within 0.75 miles of the school, and around average for the LA and planning area. GEM children here are all those pupils not enumerated as “White – British” and “Unknown”.

Table 11 GEM/Non-GEM numbers/percentages at schools near to CGPS

School	GEM	Non-GEM	GEM %	Non-GEM %
Comber Grove	99	40	71.2%	28.8%
St Joseph’s Junior RC	203	20	91.0%	9.0%
St Joseph’s Infants RC	89	15	85.6%	14.4%
Brunswick Park	314	86	78.5%	21.5%
John Ruskin	398	79	83.4%	16.6%
Crawford	339	35	90.6%	9.4%
St George’s CE	149	7	97.3%	2.7%
St Paul’s CE	158	24	86.8%	13.2%
St Peter’s CE	130	25	83.9%	16.1%
Lyndhurst	293	132	68.9%	31.1%
Michael Faraday	268	161	62.5%	37.5%
Keyworth	262	80	23.4%	76.6%
Planning Area (PA4)	2,850	917	67.8%	32.2%
Southwark Total	16,124	5,470	74.7%	25.3%

69. Ultimately, Southwark aims to provide the best possible education for all of our diverse communities, which may not possible if the school were to remain open and not be capable of delivering a broad and balanced curriculum to the GEM pupils at the school because of low numbers of pupils and staff overall.
70. Therefore, an equality impact statement has been completed for this proposal and is attached as Appendix 4. No substantive negative impacts in terms of equalities – including socio-economic were identified, and therefore no mitigations were required. *Potential* negative impacts in terms of equalities were identified as regards Disability - Special Educational Needs (SEND).
71. If the school closes, then the LA will work with children displaced by the closure to find an appropriate placement at the numerous schools with vacancies local to where they live, including those with EHCPs or classified as SEND plus.
72. This work has been done at closures already undertaken, and has resulted in the vast majority of pupils moving to schools of their choice and appropriate to their needs. The same approach will be used for Comber Grove - individual support is being provided to children with disabilities including reviewing EHCPs and

discussing transition arrangements between schools. No other differential negative impacts have been identified, so no further mitigating or improvement actions are proposed in this category.

Health impact statement

73. The EINA outlined in paragraph 42 included health impacts as well as equalities' impacts and found no health impacts resulting from the proposal.

Climate change implications

74. Following the Council Assembly meeting on 14 July 2021, the Council has now committed to considering the climate change implications of any decisions made. The council is developing a toolkit for staff on the council's climate change strategy.
75. This provides guidance for staff to consider climate change impacts. Cabinet report authors are now required to detail the implications of their recommendations. This report has not directly considered the impact of climate change in the main body of the report, as the effects on climate change of the recommendation will have a minimal effect on climate change.
76. As the numbers of pupils in the authority area falls, and the numbers of pupils attending particular schools reduce, then it is likely that less pupils will be travelling to schools, thereby potentially reducing travel (and carbon emissions) overall, and, where it is utilised, car use.
77. There will be a negligible effect on the other categories outlined - enhancing the environment and green space, green jobs and businesses, sustainable energy and reducing waste, so these are not substantively addressed in this report.
78. No direct measures have been taken to reduce or enhance the impact on climate change as part of this work, as no substantive negative effects have been identified. Additionally, as no direct measures have been taken to reduce or enhance the impact on climate change as part of this work, no monitoring will be required. Falling numbers of pupils is likely, if anything, to have a net positive effect (albeit small) on climate change, as less pupils attend school and are therefore transported by car or other forms of transport.
79. Whilst reducing the number of school places will not directly enhance the environment and green space, or create "green" jobs and businesses, less schools operating could potentially benefit sustainable energy or reduce energy and waste from consumables. Therefore, there will be, in our opinion, no substantive negative effects as a result of the recommendations and proposals.

Resource and risk implications

80. 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.
81. 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.

82. 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.
83. The freehold of the building 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 clear preference would certainly be for the building to remain in use as an educational or community facility.

Legal Implications

84. Please see the comments below from the Assistant Chief Executive, Governance and Assurance.

Financial Implications

85. 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.
86. 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 Comber Grove Primary School.
87. Comber Grove Primary School ended the 2023-24 financial year in a deficit position of £187k and an in year revenue deficit of £166k. The school's accumulated deficit position is expected to rise significantly in the event of school remaining open. The closure will also incur costs such as redundancies, site security, uniforms for children transferring to other schools, archiving/disposal etc. these costs are estimated at around £500k.
88. 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

89. The council are the ultimate employer of all staff at the school, and will follow formal staff redundancy processes in consultation with trade unions and staff as per the school's adopted Restructure and Re-organisation HR policy and procedure. This may or may not result in staff redundancies.

Consultation

90. Consultation in this proposal has been extensive and has involved all possible stakeholders, and is outlined in paragraphs 14 to 23.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

91. There were no procurement matters for consideration in this report.

Assistant Chief Executive, Governance and Assurance REF: [JH on 14.05.2024]

92. The cabinet is being asked to approve proposals to close Comber Grove Primary School, which 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.
93. 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.
94. The cabinet must also have regard to the statutory guidance "*Opening and closing maintained schools*" issued by the Department for Education" DfE January 2023 when making a decision to close a maintained school.
95. 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*
96. The Cabinet is being asked to make this decision following the publication of proposals by the council for the closure of the 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. The Cabinet should conscientiously take account of the outcomes of the consultation in taking this decision.
97. The proposals were published by the council on 15th April 2024. Any person could send objections or comments to these proposals to the council within four weeks of the date of publication of the proposals.
98. Any objections or comments would need to be provided to the Cabinet and conscientiously taken into account when making its decision.
99. 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 (the former is the 15 May 2024, so the latter would be 15 July 2024), 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.

100. The statutory guidance referred to above sets out considerations that should be made by the Council generally and Cabinet specifically when deciding on proposals include
- *The information in the proposals set out in Appendix 3*
 - *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*
 - *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.*
101. An assessment of compliance with all these items is attached at Appendix 5.
102. The cabinet also needs to apply the Public Sector Equality Duty outlined 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.
103. The relevant protected characteristics are referred to in the community impact paragraphs above. An equalities impact analysis (EINA) has been produced and needs to be considered by the cabinet in making this decision.
104. The cabinet also needs to have due regard to the council's statutory duty under section 14 Education Act 1996 to secure that sufficient schools for providing primary and secondary education are available for their area.
105. The schools available for an area shall not be regarded as sufficient for these purposes unless they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.
106. "Appropriate education" means education which offers such variety of instruction and training as may be desirable in view of—(a) the pupils' different ages, abilities and aptitudes, and (b) the different periods for which they may be expected to

remain at school, including practical instruction and training appropriate to their different needs.

Strategic Director of Finance REF: [CAS24/24]

107. The Strategic Director of Finance notes the proposal to close Comber Grove 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. In the case of Comber Grove Primary School the financial strain due to falling rolls impacts on its ability to attract pupils and to make required improvements. 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.
108. 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.
109. 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
Making significant changes ('prescribed alterations') to maintained schools - Statutory guidance for proposers and decision-makers, DfE January 2023	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 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/756572/Maintained_schools_prescribed_alterations_guidance.pdf		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels DfE, September 2021	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/media/60ebfeb08fa8f50c76838685/School_admissions_code_2021.pdf		

Background Papers	Held At	Contact
Integrated Communities Government Action Plan, Ministry of Housing, Communities & Local Government February 2019	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/media/5c628e8bed915d043966be2f/Integrated_Communities_Strategy_Govt_Action_Plan.pdf		
DfE Workforce Data, December 2023	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://explore-education-statistics.service.gov.uk/find-statistics/school-workforce-in-england		
The Essential Guide to the Public Sector Equality Duty	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities#:~:text=The%20general%20duty%20requires%20decision,public%20policy%20to%20a%20minister		

APPENDICES

Number	Title
Appendix 1a	Map showing the location of Comber Grove Primary School
Appendix 1b	Heat Map showing location of pupils at Comber Grove Primary School
Appendix 2	Statutory Notice for Closure
Appendix 3	Statutory Proposal
Appendix 4	Equality Impact and Needs Assessment (EINA)
Appendix 5	Compliance with Statutory Guidance

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	
Lead Officer	David Quirke-Thornton Strategic Director of Children and Adult Services	
Report Author	Ric Euteneuer Planning and Strategy Officer (<i>School Places</i>)	
Version	Final	
Dated	5 June 2004	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive, Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	6 June 2024	