



Office of
the Schools
Adjudicator

Determination

Case reference: STP663 Hazlewood Primary School and Greenfields Primary School, North Tyneside

Proposer: North Tyneside Council

Referred by: North Tyneside Council

Date of decision: 30 June 2026

Determination

Under the power conferred on me by Paragraph 17 of Schedule 2 to the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, I have considered the proposal to merge Greenfields Primary School and Hazlewood Primary School. I hereby reject the proposal.

The proposal

1. On 4 December 2025 North Tyneside Council (the LA) published a statutory notice to close Hazelwood Primary School (Hazlewood) and to “enlarge” Greenfields Primary School (Greenfields) to accommodate “the combined pupils” with effect from 31 August 2028. The proposal is described as a “merger” in the statutory notice.

Jurisdiction

2. The proposal was published under section 15(1) of the Education and Inspections Act 2006 (the Act) and regulation 12 of The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (the regulations). The proposal was determined by the LA on 12 January 2026 under paragraph 8(4) of Schedule 2 to the Act.

3. The proposal was referred to the adjudicator by North Tyneside Council under paragraph 14(2)(d) of Schedule 2 to the Act on 23 January 2026. Paragraph 17 of Schedule 2 to the Act sets out the requirements for the adjudicator concerning any such referral.
4. I am satisfied that I have jurisdiction to determine this proposal.

Procedure

5. In considering this matter I have had regard to all relevant legislation and to the document “Opening and Closing Maintained Schools. Guidance to proposers and decision makers. DfE October 2024.” I am aware that revised guidance concerning these matters has been issued during the course of this case, but my reference is properly to the guidance issued in 2024, since the new guidance says that this should be followed for any proposals which were published prior to 1 September 2026.
6. The documents I have considered in reaching my decision include:
- a) the statutory notice dated 4 December 2025;
 - b) the request made by the Governing Body of Hazlewood Primary School that the proposal be referred to the adjudicator, dated 17 January 2026;
 - c) documents provided by the LA with the referral of the proposal which include:
 - (i) the report made to the LA’s Cabinet on 12 January;
 - (ii) the supporting documents seen by it including all responses to the pre-publication of the proposal and to the proposal;
 - (iii) an analysis of all the consultation responses (made in appendices and supplementary appendices);
 - (iv) an Equality Impact Assessment, and
 - (v) a Community Impact Assessment.
 - d) correspondence between the adjudicator and the LA, Hazlewood Primary School and Greenfields Primary School;
 - e) the comments of the parties on aspects of this correspondence, and
 - f) information provided by each of the parties at my request.
7. I have also taken account of information received during a meeting I convened on 20 March 2026 at the offices of the LA. This meeting was attended by representatives of the schools and the LA. I had toured the premises of both schools prior to this meeting and had invited representatives of each of the parties to accompany me.

8. I held a further meeting with the parties on 12 June 2026, the purpose of which I shall explain below.

9. I have been provided with large amounts of information and numerous comments during the course of this case. I am able to refer here only to those which have a direct bearing on my decision.

10. I should like to record my thanks to all those concerned for the cordial and constructive approach which they have adopted throughout this case.

Background

11. The schools are located in an area called Wideopen in North Tyneside, which is about 5 miles north of the centre of Newcastle-upon-Tyne and adjacent to the Great North Road (A1). The area of Newcastle-upon-Tyne itself extends to North Gosforth, which is about 200 metres from Hazlewood Primary School at its nearest point by my estimation using Google Maps. The schools are about 800 metres apart and their catchment areas share a boundary.

12. Both schools are foundation schools and are part of the North Tyneside Learning Trust, which consists of 32 schools. The schools are therefore maintained schools, but their Governing Bodies are the employers of their staff.

13. The determined published admission number (the PAN) for 2026 for Year R for Hazlewood Primary School is 44 and that for Greenfields Primary School is 30. There were 263 pupils on roll at Hazlewood and 192 at Greenfields in February 2026.

14. The statutory notice setting out the proposal states that the buildings of Greenfields will accommodate up to 2.5 forms of entry and that they are “therefore capable of accommodating the combined cohort from both schools”. It also explains that the buildings of Hazlewood have “suffered significant structural failings” and that the school no longer occupies the majority of the main teaching block. A two-storey modular unit was installed in 2024 and remains in operation together with the school’s hall and kitchen which are in the main teaching block. These latter were reinforced and brought back into use in the spring of 2025.

15. The LA has told me that “there is a reduced and declining population in the community” (which I take to refer to the local community of Wideopen). This is part of what the LA has described as “the Borough-wide birth rate reducing”. Since 2022 the LA has been carrying out a Strategic Education and Inclusion Review across North Tyneside, in the words of a report to its Cabinet in September 2025 “seeking to ensure that a sustainable, sufficient, and high-quality educational system is maintained which enables all children and young people to achieve positive outcomes”.

16. Priorities established for the Strategic Review in 2022 included:

- establish financial sustainability of schools
- a commitment for all children and young people to have the right to attend a school:
 - (i) which provides continued and improving high quality provision for all children
 - (ii) which provides a safe environment for children
 - (iii) where buildings are fit for purpose and facilitate learning

17. In 2024, following a partial ceiling collapse at another school in the borough, Hazlewood Primary School was identified as being at risk and was subsequently found to have a similar type of construction. Surveys revealed cracks in its two-storey teaching block and single-storey administration wing, the main hall and kitchen. Other buildings were unaffected. The damaged buildings were closed and the school initially provided remote learning for pupils before temporary on-site facilities were available. In Spring 2024 the LA installed a temporary two-storey building providing eight class bases, at a cost of £2.3m using “local funding”. These units have an “operational life cycle of up to 60 years”. The school hall and kitchen were returned to use in 2025 at a cost funded locally of £175,000. This latter remediation is considered by the LA to have a five-year lifespan, although Hazlewood has recently challenged this view, as I shall describe below.

18. As soon as the building problem was known, the LA reports that it began seeking capital funding from central Government to replace the school’s closed buildings. No outcome of these discussions which would permit a permanent solution has been possible.

19. I have visited Hazlewood Primary School and was pleased to be conducted on a tour of the accommodation (to which all parties to the case had been invited), both the closed buildings and the accommodation now in use (as described above).

20. I have asked the LA for the current, costed, alternatives to provide Hazlewood with permanent buildings in acceptable condition. Its response included a cheapest option described as a “temporary profile metal deck” (which I understand to consist of a metal deck insert to support affected ceilings) costed at £1.76m, a full internal rebuild (retaining only the existing building’s façade) costed at £3.88m, and a “full rebuild” costed at £6.0m.

21. However, the LA has also told me that DfE maintains that any rebuild is an issue for the LA itself and that it believes that given the continued trend of year-on-year falling rolls in the area and the availability of places at Greenfields, the DfE is unlikely to consider that capital funding for a new school would represent good use of taxpayers’ money going forwards. The LA’s allocation for capital maintenance for all the schools for which it is responsible is only £4.3m (2025/2026).

22. Greenfields Primary School occupies the buildings of its predecessor school, which was built as a three-form entry Middle School. The buildings and the school site are described in the Statutory Notice as “capable of accommodating up to 2.5 forms of entry

and therefore...the combined cohort from both schools". I have also visited the school and was grateful for a conducted tour of the premises (which took place with representatives of the parties to this case).

Consideration of factors

23. The role of the adjudicator, when proposals which have been determined are referred to him, is not to review that decision, but to consider the proposals themselves "afresh" (paragraph 17(1)(a) of Schedule 2 to the Act). The regulations also provide that:

- a) the adjudicator must have regard to guidance given from time to time by the Secretary of State;
- b) the adjudicator may reject the proposals, approve the proposals without modification or approve the proposals with modifications following consultation with the prescribed persons;
- c) the adjudicator may approve the proposals conditional upon the occurrence of a prescribed event, and
- d) if other proposals appear to be related to the proposals, the proposals must be considered together.

24. Before considering the proposal afresh, it is necessary that I satisfy myself that the proposer has correctly followed the statutory process up to this point. Were that not the case, it is likely that the proposals would be invalid and that I would necessarily reject them for that reason.

25. The requirements concerning the publication of proposals to close (or "discontinue") a school under the regulations referred to above are set out in Part 4 of those regulations, and those concerning their consideration by the local authority or the adjudicator in Part 5. I have considered whether these requirements as they concern the information to be contained in proposals, the manner of their publication, the making of objections and comments, the timescales to be observed and the referral of determined proposals to the adjudicator have been met in this case.

26. I am conscious that in response to my request for initial comments about the referral, the Governing Body of Hazlewood said that some parents and carers (presumably of children at Hazlewood) had "expressed concern that the LA have not followed the correct procedure in this process". I was not provided with any more details or any evidence to substantiate this claim. Nevertheless, I have been careful as a result to consider all the information given to me before coming to a conclusion on this point.

27. I was initially concerned that the wording of the published proposal, which says that:

“The proposal is to close Hazlewood Primary School and enlarge Greenfields Primary School to accommodate the combined pupils.”

meant that a physical enlargement of the premises of Greenfields Primary School was envisaged. Where a school's premises are enlarged to increase their capacity by more than 30 pupils and also by whichever is the lesser of 25 percent of the existing capacity or 200 places, it is necessary for a Prescribed Alteration proposal to be made and for a statutory process to be followed. Although the proposal says that there is no related proposal and although it also refers to the “redesignation of spaces across the [Greenfields] site to accommodate the increased pupil population”, it was necessary for me to ask the LA to confirm whether or not the proposal includes a proposal to expand the premises of Greenfields Primary School, as this was unclear to me. Had that been the case, since no related proposal has been published, the statutory process might not have been followed.

28. The LA assured me that its proposal did not include a physical expansion of Greenfields and that it was intended only that there should be “an element of internal reconfiguration of the school premises, which includes [sic] a former Childcare Nursery building. Other spaces, currently used as resource space, out of school provision etc may also be used as general teaching spaces.” So there is no need for a prescribed alteration proposal to be published in relation to the future use of the premises of Greenfields as a result of the proposal.

29. The guidance sets out the stages of the statutory process which must be followed by a proposer, and the timescale and other considerations which apply. The LA has confirmed that the following timeline was followed by it:

Date	Relevant matter	Effect
22/9/25	Cabinet report “Strategic Education Review Update”	Cabinet agrees pre-publication consultation
2/10/25 to 13/11/25	Pre-publication consultation period	Proposals must be made no later than 13/11/26
26/11/25	Report to Director of Children’s Services (DCS) on response	Decision to proceed to publication of proposal under delegated powers
4/12/25 to 1/1/26	Publication of Statutory Proposal	Start of representation period lasting a minimum of 4 weeks
12/1/26	Report and Supplementary Report to Cabinet	Cabinet approves the proposal

30. These dates conform with the requirements concerning them in the guidance. This also says:

The decision makermust consider ALL the views submitted during the representation period, including all support for, objections to, and comments on the proposal.

I have been given evidence that when the LA's Cabinet decided to approve the proposal on 12 January 2026, it was provided with a report and analysis on the consultation responses which were received between 4 December 2025 and 1 January 2026 together with a copy of all written responses which were received.

31. 59 responses were received to the pre-publication consultation. 54 were objections. When the Interim Director of Children's Services considered these and the written comments received under delegated powers, the decision to proceed to the publication of Statutory Proposals was taken because no viable alternative to the proposal was considered to have been put forward.

32. 87 responses were received during the representation period, of which 82 were objections. These and the written responses received were available to the Cabinet. The minute of the Cabinet meeting on 12 January 2026 records that this material had been "listened to and carefully considered". Nevertheless, it considered that a decision to approve the proposal was "necessary to achieve an educationally and financially sustainable education system in this part of the Borough". Mention was made that an implementation date of September 2028 (rather than September 2027) was determined in response to the strength of feeling expressed during the consultation and to allow the possibility of academisation of Hazlewood to be fully explored, but also that in view of the problems with its building and the absence of additional capital allocation from central government, "the site was no longer viable in the long term." Although all alternatives to the proposal which had been put forward during the representation period had been carefully considered, none were considered viable. I shall return to this below.

33. Following the determination of the proposal on 12 January 2026, and the request made by the Governing Body of Hazlewood on 17 January 2026 that this determination be referred to the adjudicator, the LA did so on 23 January 2026, and made all the consultation material available to me, as required under the regulations, and within the time which these specify.

34. In summary, I am content that in respect of each of the matters set out in paragraph 25 above, the LA has followed the statutory process laid down concerning the closure of a school, and as a result I do not consider the proposals invalid because this process has not been followed. I now turn therefore to my own consideration of the proposal. As I have said, I have been provided with the responses made at all stages of the statutory process and with analyses of these responses made by officers of the LA. I have read these analyses and the responses to the matters raised which were made by the LA.

The nature of the proposal

35. The guidance issued by the Secretary of State refers to the possibility of schools being amalgamated. It says that this may take place either by the closure of both predecessor schools and the opening of a new school to replace them, or by the closure of one and the making of changes to the other to accommodate the displaced pupils. The latter process is described in the following terms:

“The local authority and/or governing body (depending on school category) can publish a proposal to close one school (or more) and enlarge/change the age range/transfer site of an existing school (following the statutory prescribed alterations process as necessary), to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed. This is sometimes referred to as a ‘merger’.”

36. My understanding is that the usual intention for this latter process is to make possible for example the merger of separate infant and junior schools (often on the same site) to form a primary school or the amalgamation of separate single-sex schools to form a new mixed school. In either example a change requiring a statutory process in addition to closure is necessary (at the second school, the one not closed).

37. In the case of Greenfields and Hazlewood, the only change to Greenfields is (in effect) a change to its Year R PAN and to its catchment area, that is to say a change in its admission arrangements. In other words, the proposal which the LA has published is to close Hazlewood and to ensure that there are adequate places at Greenfields, should parents want them. Greenfields is, other than in that sense, not part of a statutory process since its closure is not proposed and no prescribed alteration concerning it is necessary. Simply closing a school and saying that it is “merging” with another named school does not have the effect of turning what were two schools on separate sites into a single entity on the site of the second named school, as I think the LA imagined is the case.

38. For example, there is no requirement which follows from the proposal that all or any of the children from Hazlewood will transfer to Greenfields, should the former close. The statutory notice itself makes clear that currently only 58 percent of the pupils living in what would become the combined catchment area of the single school at Greenfields attends one of the schools, and that should Hazlewood close, “parents... retain the right to apply for placement at another school with appropriate capacity.” This latter statement should of course be clearer in saying that if a parent seeks a place at a school where there is a place they must be admitted (to reflect the wording of paragraph 2.28 of the Code).

39. On 19 May 2026 the Chair of Governors of Hazlewood wrote to me complaining that, in essence, it appeared to have emerged at a meeting between the school’s Headteacher and staff from the LA that differing versions of the staffing implications of the proposal had been given to the two schools “which appeared to favour one school over another”. This matter had been raised very briefly at the initial meeting which I held with the parties, where

I had explained that while this was not a matter for myself as the adjudicator, my understanding was that since the proposal involved the closure of one school (Hazlewood) and not the closure of both schools and the opening of a new school (the alternative approach to amalgamating schools offered in the DfE guidance), the effect was not to create a “level playing field” concerning the employment position of the staff concerned (as would have been the case had the proposal been to close both schools), but that nevertheless TUPE (Transfer of Undertakings, Protection of Employment) would be likely in some way to apply. Again, none of this would necessarily be of direct concern to me, but the Chair of Governors went on to say in his recent letter that “the Hazlewood team” considered that this raised “serious concerns regarding the fairness of the consultation process” [regarding the proposal], which if accurate might have led me to have my own concerns as to whether the statutory process followed by the proposer had been flawed (as I am sure the Chair of Governors had in mind in writing to me).

40. I have therefore considered it necessary to ascertain from the LA precisely what information has been provided by itself concerning the effect of the proposal on the employment of the staff of the schools, in order to form a view as to whether this might have compromised the consultation feedback received during the representation phase after the proposals had been published. I am grateful to the LA for its thorough and precise response, which I have shared with both schools. In summary, what the LA said was that since it is the Governing Bodies of the two schools who are the employers of their staff, anything which had been said to them only constitutes advice. In the case of Hazlewood, the LA has a service level agreement (SLA) for Human Resources (HR) matters. Staff had been consistently advised that staffing decisions would have to be taken by Governors following any closure of one of the schools. The LA assures me that it has provided the same advice to both Governing Bodies, which includes that “there is likely to be a relevant transfer pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006”, and it has provided me with evidence that it did so.

41. What is of more concern to me however is that two separate “template letters” provided to Governors for issuing to the staff of the two schools also imply that all staff from Hazlewood would transfer to the employment of Greenfields, and a presentation intended for staff at Hazlewood stated that TUPE would apply and that “there may be a requirement for the new employer to conduct a restructure affecting all staff (from both schools) if there was surplus staff transfer”.

42. These latter statements have been cast about by caveats and are in the context of future decisions to be made by Governors, but as I have explained above the proposal as made does not constitute a merger of the two schools. Its effect is the closure of Hazlewood and the possible provision of replacement school places at Greenfields (but also potentially at other nearby schools). While (again) this is not a matter directly for my consideration, my own understanding is that the extent to which TUPE would apply to the future staffing at Greenfields may well depend entirely on the number of children whose parents choose to

take up the offer of a place there (as indeed it might equally well apply elsewhere should this be the case at other nearby schools).

43. What appears to have been said to the staff of the schools was therefore neither wholly accurate, nor wholly inaccurate in nature. It was as a result not entirely helpful in providing them with a clear understanding on which to base their response to the consultation. The question which this raises for me is whether this is likely to have so influenced the consultation response from the persons affected that it would be unsafe for me to have regard to that response, or to the consultation response as a whole, as I consider the proposal afresh.

44. I shall return to the matter of the nature of the proposal and the consequence of that for my decision below. However, it seemed to me that, should I decide to approve the proposal, it would be important for all concerned that the proposal be stated in the clearest possible terms. It is important that the proposal and its implications are clearly understood by those who must implement them (if approved).

45. I have explained above the courses of action which are available to me as the decision-maker. One of these is to modify the proposal, having consulted such persons as may be specified. Although the explanatory note attached to the regulations says that these persons are specified in Regulation 22, I do not find any such provision either there or elsewhere in the regulations. I have therefore consulted the parties to this case as to whether I should modify the proposal (should I approve it), since these appear to me to be the relevant bodies.

46. I held a meeting with the parties on 12 June 2026 to provide the background set out above before consulting them as to whether, in the event that I approve the proposal, this should be modified as follows:

- (i) Removing references to Greenfields Primary School other than a reference to its PAN being increased in order to ensure available local capacity for children displaced from a closed Hazlewood Primary School, and the combination of the catchment areas for the two schools. These matters are aspects of the admission arrangements for Greenfields Primary School.
- (ii) References to a “merger” between the two schools would be removed.
- (iii) The wording of the proposal would also make clear that parents of these children would have the right to be admitted to other local schools with places in the relevant year group (the current wording being that they would have a right to apply for such places).
- (iv) The reason for the proposed closure of Hazlewood Primary School would be stated as “the significant structural failings of the school’s main building and the absence of a long-term solution which make the school no longer viable.”

47. When the parties responded to me, the LA was generally positive, agreeing that the modifications I had suggested were necessary. Similarly, Greenfields agreed that all of the suggested modifications should be made if the proposal was approved.

48. The response from Hazlewood was that it did not consider that these modifications would “retrospectively cure or remedy the fundamental defects in the Proposal and subsequent consultation process.” It referred me to the generally established principles concerning public consultation known as the “Gunning Principles”, one of which is that “sufficient reasons shall be put forward so that those consulted can give intelligent consideration and response”. It says that because the proposal referred repeatedly to the idea of the schools merging, “such language conveys the continuance of Hazlewood”. It said that many of the responses to the consultation carried out on the proposal had assumed that Hazlewood would continue to exist in some form, and I agree that there is evidence of this in the consultation response. Hazlewood concluded by saying that “there has been no meaningful consultation on the proposed closure of Hazlewood which can be conscientiously taken into account by the decision-maker.”

49. As I have said, my view is that the proposal as set out was inappropriately worded, and possibly not fully understood as to its consequences in terms of the effect on the staff of the two schools or by members of the public concerning the continuance of Hazlewood. It is indeed possible that responses to the consultation may have been different, either more positive or more negative in nature, had this not been the case. Nevertheless, I do not agree with Hazlewood that the proposal did not make it clear that it constituted a proposal to close the school, since it includes the sentence “The proposal is to close Hazlewood Primary School”. Neither do I agree with Hazlewood that “the proposal would require comprehensive redrafting to remove any suggestion that Hazlewood would continue in any form.” I have satisfied myself that a modification of the proposal using the four changes listed above is perfectly possible and that it achieves that aim.

50. The consultation response was overwhelmingly negative, and of course the LA properly took the view (as I must do) that such consultations do not have the nature of a referendum, and that the more important content of the feedback which it received was whether any viable alternatives to those in the proposal were identified as available to it in seeking to achieve the laudable goals which it also properly set out for its strategic review of educational provision in its area. In agreeing the proposal, the LA came to the view that there were no viable alternatives available.

51. Hazlewood’s response to possible modifications to the proposal also reminded me that there had been “counter proposals submitted by the staff and governing body of Hazlewood” (during the consultation), saying that while the condition of the building was recognised by the governors, that there remained “a number of viable alternatives to closure” and that it did not agree that there was an “absence of a long-term solution.” I shall return to this below.

46. I will now continue with my own consideration of the proposal (to be clear – the proposal as made by the LA). The factors which the decision maker should consider when determining a proposal to close a school are set out in the statutory guidance. I will consider each, under separate subheadings.

Demand and need

47. The guidance says the following:

“When determining proposals to discontinue (close) provision, the decision maker should be satisfied that there is sufficient capacity elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term.”

48. The question of whether the Greenfield buildings, without any new additions, are able to accommodate all the children who might well need to use them is an important matter as I consider the proposal afresh. No responsible decision-maker should give approval to a proposal which can be seen to have obvious practical impediments.

49. I have described above what the LA has said to me about the general background of falling school rolls and birthrates in the borough. Borough-wide births in 2019-2020 (Year R in September 2024) numbered 1996 and had fallen to 1829 in 2023 -2024 (Year R in September 2028). I have described the location of Hazlewood and Greenfields above. For planning purposes, the LA uses four planning areas to cover the borough. The two schools are in its Northwest planning area where there are two other primary schools. The fall in the birthrate for the planning area for the period 2019-2020 to 2023-2024 was 732 to 648.

50. Prior to 2020, the Year R PAN for Greenfields was 60. It has been 30 since September 2021. In other words, its buildings have previously been able to provide for 420 places. When it published its document “Options and background data for the proposed merger of Hazlewood Primary School and Greenfields Primary School” to accompany the pre-publication consultation in October 2025, the LA said “Greenfields Primary School building can accommodate 525 pupils”. I have visited Greenfields and noted the availability of significant spaces not currently used for teaching purposes. I have been provided by the LA with a theoretical net capacity calculation for the premises assuming such spaces were brought back into use, and the relevant floor plan. This shows a net capacity of 538 with a maximum indicated Year R PAN of 76. The LA has told me that its plan for a “merged” school was for it to operate as 2.5 forms of entry, that is to say, to have a PAN of 75 for Year R.

51. Forecast data (February 2026 provided by the LA) for the two schools showed the following:

School Year	Greenfields Year R	Hazlewood Year R	Combined Year R	Greenfields Total roll	Hazlewood Total roll	Combined Total roll
2026-2027	25	36	61	192	263	455
2027-2028	25	35	60	191	255	446
2028-2029	23	34	57	186	250	436

Notwithstanding what I have said above about the nature of the proposal and the choices available to parents, what can be seen from the table is that if Hazlewood were to close in August 2028 (as stated in the proposal), there would indeed be sufficient school places in the Greenfield building even if the parents of all the children on roll at Hazlewood sought to move there. The LA has undertaken to ensure that such places would be available.

52. The same forecast data, which is the latest available, showed that the forecast for the combined need for school places does not exceed the figure of 436 projected for September 2028, and that it will have fallen to 399 by September 2031.

53. Hazlewood has asked me to consider its view that the LA has not adequately taken into account "the substantial planned housing growth both across the borough and in the immediate vicinity of the school." It listed several "developments", including a plan for 700 homes located to the east of Wideopen. Together with its assessment of the availability of school places locally and in neighbouring Newcastle, the school says that "these factors strongly suggest that future demand for primary places in this area is likely to increase rather than decline."

54. The LA responded to these points as follows:

"The revision to the local plan is still at consultation stage and is not expected to be adopted as Council policy before 2028. Any approved developments are not likely to commence until 2030 and then follow a build out period of perhaps 10 years. Over this time the wider trends in falling birth rates and pupil numbers can be expected to continue...the Council currently considers it unlikely that all 700 homes would be completed at land east of Wideopen before the mid-2040s." It said that its view was that the issues which underpinned its Strategic Education Review "will remain and continue to be significant issues that must be addressed in the short term."

55. I am satisfied that, were I to approve the proposal, there would be sufficient school places for children displaced from Hazlewood, either at Greenfields or at other local

schools, certainly at the point of implementation and for some time beyond. Both Hazlewood and Greenfields were judged as “good” at their last Ofsted inspection. In other words, I am also satisfied as to the quality of alternative school places locally.

Equal Opportunities Issues

56. A comprehensive assessment of the impact of the proposal on matters set out in equalities legislation was conducted by the LA in January 2026. The conclusion reached was that;

- (i) The proposal is robust; no major change is required.
- (ii) There is no negative impact on the organisation’s ability to meet the aims of the 2010 Equality Act,
 - there is no potential for unlawful discrimination
 - all opportunities to advance equality of opportunity have been taken
 - all opportunities to foster good relations have been taken

57. This assessment was approved by the Interim Director of Children’s Services on 23/12/2025. I find no reason to disagree with that judgement.

Local Integration and Community Cohesion

58. A thorough analysis of the potential impact of the proposal as made by the LA was presented to its Cabinet on 12 January 2026 concerning:

- (i) Pupils, families and carers (including the implications for children at the schools who have Special Educational Needs);
- (ii) The wider community (including a consideration of the consequential use of the land occupied by Hazlewood, which is owned by the North Tyneside Learning Trust. This land is subject to a covenant restricting its use to educational purposes. The Trust would need to refer to the Secretary of State as to the use of the land should the school close);
- (iii) Residents of North Tyneside;
- (iv) Other schools in the area, and
- (v) Travel issues.

In each case, mitigations of potential impacts were set out, but in conclusion it was proposed only to delay the date of implementation until August 2028 in order to allow Hazlewood to explore alternative sources of capital (to LA DfE capital allocations) to replace its buildings. I have taken account of the fact that the proposal considered in this analysis

was that made by the LA and not the modified version of that proposal discussed above. Nevertheless, I am of the view that the mitigations remain helpful and relevant should my decision be to approve the proposal (as modified).

Funding

59. The guidance requires that decision makers should be satisfied that any funding necessary to implement a proposal is available. The LA has told me that “a small amount of capital investment” may be required to ensure that the buildings of Greenfields could accommodate up to 75 pupils in each age group on a permanent basis.

60. The guidance also has the following to say:

“Where a school is closing and other local schools need to take on displaced pupils, the following will apply in terms of the revenue funding support schools will receive for taking on additional pupils. Schools’ core allocations in any given year are based on the number of pupils that they had on roll at the previous autumn census. This means that schools that take on additional pupils could be funded for more or fewer pupils for a given year. Local authorities can use growth funding to support schools to manage the revenue costs of an increase in pupil numbers before schools receive the corresponding increase in their core funding.”

61. The most recent guidance, to which I am not required to refer, nevertheless adds to this that:

“If a maintained school closes, the local authority should transfer the remaining budget to their growth fund and support the schools admitting the displaced pupils.”

Community Services

62. Both schools currently run Nursery Classes. The proposal as published showed continuing nursery provision (of 52 places) at Greenfields, which has a separate Nursery Building. This building was not included for the purposes of calculating the net capacity of the buildings at Greenfields as referred to above, and therefore the expected Nursery provision would still be available.

Conclusion

63. I have taken all these matters into consideration and have focused my concern on the long-term quality of the education provided to children currently at Hazlewood Primary School, and for those who may be admitted to it in the future.

64. Hazlewood have appealed to me to take into account the quality of education which the school currently provides, its strong support from its local community and the fact that it remains popular, all of which I acknowledge. I also record my admiration for the work done by the staff of the school to provide the most effective and safe education for children there

since the identification of the major structural problems affecting the buildings in 2024, and in particular for the leadership given to them by the school's Headteacher and the support provided by the school's Governors.

65. The Governors of Hazlewood have also referred me to the counter proposals which they made during the consultation process. These were, in its own words, "academisation, relocation, or phased reorganisation".

66. In response to my request, the school informed me on 5 April that the most recent contact with a possible Academy sponsor has "paused", with the group in question "unable to proceed with the process". I have explained above the stated position of the LA in relation to its own attempts to secure capital funding to rebuild the school and have stated the anticipated lifespan of the physical remediation provided to the current buildings. In its most recent communication, the school challenged the estimated five-year lifespan of the reinforced hall and kitchen and showed me a letter from an independent builder supporting that view. While the school tells me that it is "fully and safely operational", which I accept, and while I accept that this may be the case for some time, I consider this to be at some cost in terms of the arrangements that have to be made daily by all concerned and also that such accommodation, however functional, can never be ideal. It cannot be in the long-term interests of the provision of the educational environment sought for children in the LA's Strategic Review that the current situation should continue indefinitely.

67. One of the reasons which the guidance sets out for the closure of a school is that it is "no longer considered viable". I have come to the view that while the school could continue for a time because it is likely to attract sufficient pupils to ensure financial viability, it should not do so indefinitely in the absence of certainty about the availability of funding to replace its current buildings. In that sense, its viability will have an expiry date.

68. I consider that it was not unreasonable for the proposal be made that Hazlewood should close in August 2028, and my consideration of the factors which the decision-maker must take into account shows that it would be possible for the school to close and for displaced pupils to be accommodated at Greenfields on such a date.

69. However, I have also explained the severe shortcomings of the proposal as published and their effect. Although I have satisfied myself that the proposal could be modified to ensure its clarity, I am not convinced that this would be the most appropriate course of action for me to take. It is clear to me that the proposal is not capable of achieving what was plainly the original intention of the LA (given the repeated reference to such an entity in the proposal), that of creating a truly "merged" school on the Greenfield site.

70. When the LA set out its response to the consultation on the proposal it referred to the alternative means through which two schools can be amalgamated; namely, the closure of both and a new replacement school being opened. It said that this route was more complex than that chosen and that it would "increase uncertainty". It is the case that under the legislation in force when the LA made its decision, the presumption would have been

that any new school proposed by it would be an academy (free school), and that only in very limited circumstances could a foundation school (for example) be proposed (with the approval of the Secretary of State and the involvement of the adjudicator).

71. However, under section 65 of the Children's Wellbeing and Schools Act 2026, which received Royal Assent on 29 April 2026, a local authority will in the future be able to publish proposals for "a new community, community special, foundation or foundation special school, other than one providing education suitable only to the requirements of persons above compulsory school age." While this legislation is not yet in force, I have every reason to believe that this will be the case in the near future.

72. To summarise, I am of the view that:

- (i) It is possible for Hazlewood to continue to function with its present buildings, but this should not be indefinitely.
- (ii) In the absence of a source of capital funding to replace its buildings in the relatively near future, Hazlewood should close.
- (iii) There is available accommodation at Greenfields for children displaced from a closed Hazlewood both now and in the foreseeable future.
- (iv) By the time the closure of Hazlewood becomes inevitable, a legislative route will be available to the LA through which it will be able to achieve its aim of creating a merged school on the Greenfields site.

73. I have therefore decided not to approve the proposal, even with modifications. It will now be for the LA to consider its actions as a consequence, including whether to bring forward further proposals, and if so, what these proposal should be, and when this should take place.

Determination

74. Under the power conferred on me by Paragraph 17 of Schedule 2 to the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, I have considered the proposal to merge Greenfields Primary School and Hazlewood Primary School. I hereby reject the proposal.

Dated: 30 June 2026

Signed:

Schools Adjudicator: Dr Bryan Slater