

Statement of Needs

Woodlands @ Todmorden CE (VA) J, I & N School



Our vision is a future where we soar high, a Christian community delighting in learning and enjoyment for all. We encourage self-belief and bravery: developing the flair to be ourselves. Together, respecting and loving the world and all in it.

'To give you hope and a good future' (Jer 29:11)

1. General information

Todmorden CE (VA) J, I & N School prides itself on being a welcoming, family focused school, with children at the heart of everything we do. Our school, in the centre of Todmorden, has been growing in success for over 178 years since it first opened in 1845. It is a popular, full school which is counter to the general trend in Primary education.

The school mainly serves the central area of Todmorden and sits in the heart of Todmorden on the flood plain. The school has suffered extensive flooding several times along with many of our families' homes.

The school roll is smaller than the national average, although it has the highest number on roll in Todmorden, with 254 children, in single form entry classes. The school has long established links with local community and church life. One third of the children in the school are deemed as disadvantaged.

Our Nursery, 'Woodlands' caters for 2 to 4 year-olds and is the only school provider in Todmorden with 2 year old funded places for disadvantaged children. During 2024 Calderdale Council has asked us to take more children to increase childcare provision in the town. We also provide 15 and 30 hour funding for 2, 3 and 4 year olds. Nearly all our school aged children have attended the Nursery (92% of the 2023 Reception class). This enables an easy transition and more consistent tracking of progress from age 2 to 11.

The Wraparound provision, which is also based in the Woodlands Building, consists of a breakfast club and an after school club. Following parental requests, we are open for children aged 2 to 11 years old from 7.00am to 6.00pm and this provision is well-used and much-appreciated.

2. What do you need?

A faculty is needed to regularise the nursery extension, known as Woodlands, that currently stands at the back of the school and over a part of Christchurch Churchyard, as well as to address issues of access to information about the graves that lie beneath the Nursery extension.

As a minimum the Faculty needs to provide for:

- a) Authorisation of the Nursery extension over the Churchyard land
- b) A lease from the PCC to the School for the land occupied by the Woodlands (draft attached with background documents)
- c) Authorisation of the fencing around the Nursery extension and the gate between the Churchyard and the Nursery (see photographs in the background documents)
- d) Authorisation for the laying down of headstones that lie beneath the Nursery building
- e) Access to information about the graves and headstones beneath the Nursery building
- f) A noticeboard in the Churchyard to give public access to details of the headstones and graves beneath the Nursery and a plan of the Churchyard overall, with space for more temporary notices, from FOCC, the PCC or other groups and contact details concerning management of the Churchyard.

The current Governors and Headteacher of Todmorden CE J, I & N School, supported by the PCC, were advised to apply for a retrospective faculty for the Woodlands Nursery. However, it is understood that the case of Christchurch Spitalfields, ruling on the application of the Burial Acts, means that it is not possible to grant a retrospective faculty.

Accordingly, as the ten-year Planning Permission granted in 2016 for the current building will need to be renewed in 2026, if the nursery and wrap around school provision are to be retained, a Faculty is sought for the Nursery extension going forward, along with provisions to authorise the use of the land and current school to churchyard boundaries.

3. The proposals

The application is for permission under the Faculty Jurisdiction to authorise the current two-storey Nursery building, which it is understood never had a faculty. The remedy sought is to ensure that a faculty is in place going forward for such time as the planning permission is renewed in 2026. If the case can be distinguished from Christchurch Spitalfields and a retrospective faculty granted that would also meet the need.

Authorisation under faculty is also needed for the fencing and gate that form the boundary between the school and churchyard and for a lease to regularise the school's use of the land occupied by the Nursery. It is proposed that the lease is for 10 years, which would reflect the timescale for the likely renewal of planning permission.

Permission is also needed to authorise the laying down of the headstones which seems to have occurred, also without faculty, when the Woodlands Nursery was built. It had been hoped also to seek permissions for their re-location (funding permitting) to a more public part of the churchyard, so as to respect their memory and enable public access to them, particularly for relatives and others who care for the Churchyard. However, the way in which the headstones have been laid down on top of 60cm of concrete means that they are set into the concrete and there is insufficient space beneath the Woodlands Nursery to enable their safe removal.

A faculty for a noticeboard within the churchyard is also sought so as to be able to make public information about the graves, including the interactive transcript work funded by the school, the history of the church and churchyard and the work of FOCC.

4. Why do you need it and why do you need it now?

a. The Nursery Extension:

Without the Nursery the school would not be able to educate the 54 children, between 2 and 4 years old, that it currently accommodates. It is believed that the popular over-subscribed nursery is the reason that this Church of England school continues to be the most popular and viable school in the area.

The outstanding provision offered by the nursery ensures a brilliant start to the children's journey in education, they are happy, settled and then decide to remain in the school family for the rest of their educational journey to the age of eleven.

Without the four classroom Woodlands building, the school's 50+ place nursery would not exist. Todmorden would lose its only school-based provision offering funded places for 2-year-old disadvantaged children. The quality of the school's education is recognised by the local authority who have asked the nursery to expand the number of places offered.

The building employs 14 hardworking, dedicated amazing staff including a teacher, a nursery manager, many teaching assistants and support staff. Without this building, these people would no longer be employed by Todmorden CE J, I & N School.

Every Friday morning, one of the upstairs rooms holds our community playgroup open to any parents and young children of Todmorden. Without Woodlands the school would be unable to hold this community event.

One of the classrooms is used as a nursery provision for children with additional needs. Staff skilfully plan out provisions for children who without it would not be able to access this mainstream nursery or school provision. The number of children with significant needs who require places in mainstream nurseries and schools has increased in recent years and this classroom in Woodlands Nursery supports the school's vision to be inclusive for all.

An upstairs classroom in the Nursery building houses the school's wraparound provision. Parents benefit from the childcare from 7 am to 6 pm. Due to the school's lack of space, the school wouldn't be able to hold this 30-place childcare so this building is essential for this wrap around care to continue.

There is also a lack of nursery and wrap around provision in the whole town of Todmorden, which makes it even more important to retain this provision, not just for the Church school but also for the town as a whole.

b. A lease from the PCC to the School for the land occupied by the Nursery:

Although the Churchyard is closed the land remains consecrated and in the ownership of the PCC. A lease is therefore necessary to permit and regulate the use of the land for the Nursery building. It is hoped that it will serve as a reminder of the respective jurisdictions over the land and avoid future confusions of the sort that seem to have led to the failure to obtain a Faculty when the site was first occupied by the nursery and school. A copy of the draft lease is included in the background documents.

c. Authorisation of the fencing and gate around the Nursery between Churchyard and Nursery:

As an educational establishment catering for minors it is important for the school and nursery to be able to regulate access to the site they occupy so as to safeguard their students and comply with mandatory safeguarding guidance for schools. For these purposes a fence and gate are needed, which need to be authorised by faculty, along with the nursery and the lease for use of the land. Photographs of the location and design of the fence and gate are included in the background documents.

d. The option of moving the headstones beneath the Nursery building to enable public access:

The realisation that there were graves and human remains beneath the Woodlands Nursery, headstones were laid flat, and in some cases side stones were apparently displaced, has generated public outrage in Todmorden and distress to families whose relatives' graves and headstones are affected. The discovery that proper processes were not followed has also led to allegations of cover-up and malpractice and a loss of trust in the Church and its stewardship of consecrated ground.

It is important therefore to seek to provide the fullest and most transparent possible redress in respect of those whose graves and headstones have been affected and to re-build trust in the wider community. It was hoped that the headstones could be moved from under the Woodlands to a more publicly accessible location in the churchyard. Sadly, it looks as if that will not be possible because the headstones have been laid into concrete and there is insufficient space beneath the Woodlands building to raise the headstones.

Amongst the background documents is a report with photographs of the headstones in the space beneath the Nursery, and a note of a conversation with the local memorial mason familiar with the churchyard, about the difficulty of moving and re-locating the headstones, which shows that this is now not possible.

e. A noticeboard in the Churchyard:

A further aspect of the redress sought and to enhance management of the Churchyard for the future, is the installation of a noticeboard to inform the public about the churchyard, its history and the graves and headstones to be found in the churchyard, including those that have been hidden beneath the nursery. Possible designs for the noticeboard are attached with the background documents, as well as a plan that shows the proposed location at the Church Lane end of the path between Church Lane and the school, which is the principal access path for the site.

5. What is the evidence for the need?

Authorisation of the Nursery Extension, lease, fence and gate.

It is understood that at the time of the planning permissions for both the original mobile classroom, and then the 2017 two storey extension building, all parties were in support of the building projects. Recollections from school staff and former PCC members suggest anecdotally that there were reports on the buildings in the parish magazine, local press and pew sheets. Some also have recollections of letters being sent to relatives. However, there is no surviving written evidence of any of these recollections and those relatives who have been contacted more recently deny knowledge of any such consultation.

The PCC, the governors, the Diocese (Wakefield in the 1990s, Leeds in 2016/7) and Calderdale MBC were all supportive of these building projects as evidenced by the Planning Permission. It seems that no formal objections to the planning applications were received at the time.

However, the lack of a Faculty and some more recent public opposition has created a measure of insecurity for the school and those involved with the Nursery, as well as undermining trust in the church and school in some circles. The granting of a Faculty to authorise all the measures needed to retain the nursery, regulate the use of the land and the necessary safeguarding measure of the boundary fence and gate, would resolve this uncertainty and help to restore relationships and trust, to the benefit of all parties.

The option of moving the headstones beneath the Nursery building to enable public access:

The lack of a faculty for the building or for the laying down of headstones was only brought to light in late 2023 by the Friends of Christchurch Churchyard, known as FOCC.

The Friends of Christ Church (FOCC) was formed in 2022 for the upkeep and transcription of the graves in Christ Church churchyard which wraps around the boundary of the school. This was partly because the local authority was not maintaining the site as well as could have been hoped, due to lack of resources. FOCC became aware of the graves which lie beneath the building and this group wanted access to the graves to transcribe. The school sought advice on the matter and was told that access could not be permitted on safety grounds. It was through these circumstances that it became apparent that no faculty was obtained, meaning that there was no formal provision for the graves and headstones beneath the building nor the school and nursery use of the land on which the Nursery is built.

A full transcript of the graves which were covered by the old nursery building in the 1990's has not been found. The gravestones under the Nursery are laid out flat, are in good condition and are readable (see photo at Appendix 3). Although the crawl space beneath the Woodlands is difficult to navigate a professional mapping company hired by the school has prepared a full transcript and map of the graves which is filed with the supporting documentation to the Petition. The transcript will be made publicly available and has already been circulated to FOCC, the PCC and those relatives with whom contact has been made.

It is the responses of relatives and FOCC on their behalf, as well as some PCC and Church members (who also have relatives buried at Christchurch) that has raised the need to provide adequate memorialisation via the noticeboard. Correspondence with relatives can be provided if required by the Court but has not automatically been disclosed due to GDPR and recognising that relatives may prefer to make their own views known directly during the consultation process.

6. How is the proposal contributing to the need for environmental sustainability?

The building is an Eco-friendly building. More information about the building particulars is attached as a separate document in support of the Petition or can be found at:

<https://www.bridgeplay.co.uk/products/case-studies/double-storey-eco-classroom/>

In addition, there are photographs of the nursery in relation to the churchyard in the background documents, that show something of its wooden structure and its environmental aesthetic.

There have been conversations with FOCC about the ongoing maintenance of the churchyard and sustainable approaches to its maintenance and care, as well as conversations with a trustee of "Caring for God's Acre". The granting of the faculty will assist in the rebuilding of trust through addressing grievances of FOCC and relatives and thus contribute to the better future environmental management of the Churchyard. It is anticipated that a joint policy can be agreed with a Minor Works Order to address some changes that may be needed in the longer-term.

The work with FOCC is a more constructive and reliable way forward than relying solely on the local authority's maintenance of the Churchyard which has been limited since the Churchyard was first closed, due to lack of local authority resources.

7. What other options to meet the need were considered, taking Point 6 and the impact identified in the Statement of Significance into account?

It is not known what options were considered for the site of the mobile classroom in the 1990's. It is known that there were already mobile classrooms on site on the other side of the school, next to the cricket pitch, since the 1970's. Therefore, options for additional building space were limited. When considering the replacement of the mobile classroom in 2016/7 the lack of space on the site meant that there were still few options available for a building to continue the nursery and after-school provision.

A further factor to be considered was that the school building is now prone to flooding because of the sluice gates fitted in the river beside the park. When the floods are really high the run-off water also covers the cricket ground and comes into the school building. Locating the nursery building, with the smallest and most vulnerable children, on the side of the site furthest away from the flood plain and on stilts is also a safety precaution in the event of any future flooding.

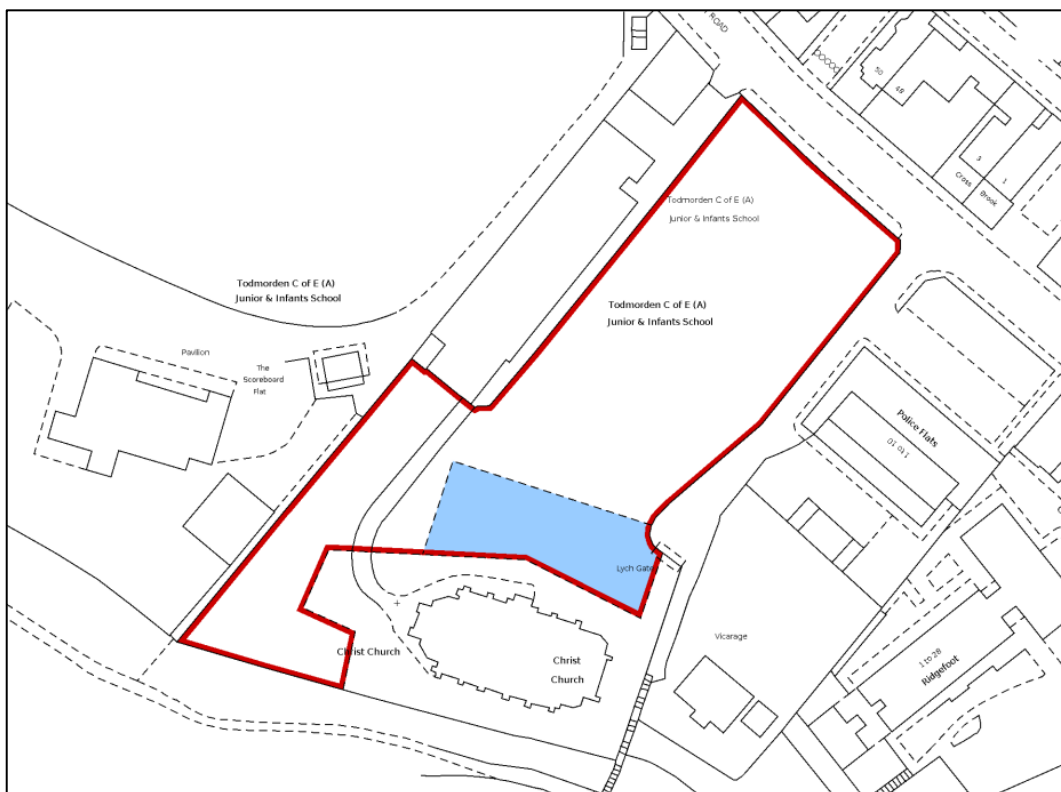
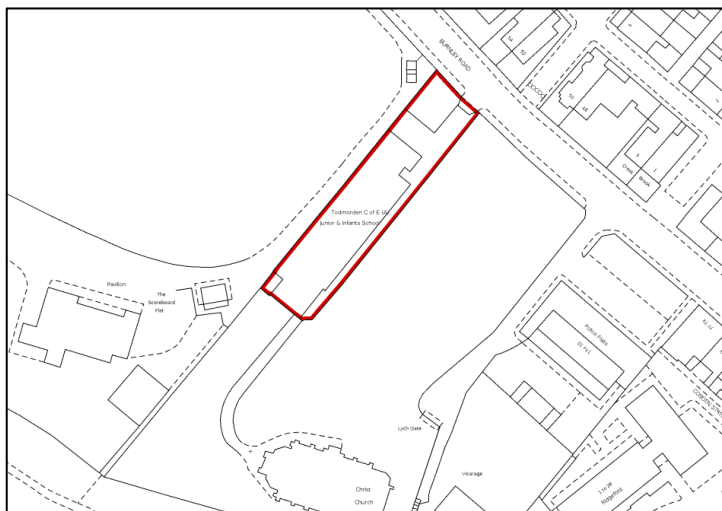
The lack of space and vulnerability to flooding had meant that in the late 2000s the school was scheduled for a move to a new site and new build. However, the change of government in 2010 meant that the school building programme was abandoned and that plan abandoned. Constraints on public finances and limited land for alternative sites, means that there is little immediate prospect of plans for a new site to be re-visited. In addition, three other Primary schools in Todmorden (Castle Hill, Shade and St Peter's CofE VC Primary) are now higher priorities for re-building due to crumbling roofs and mobile classrooms.

It is understood that there is unlikely to be any alternative for Todmorden CE but to remain on its current site with its current buildings, at least for the foreseeable future. Accordingly, all the aspects of the faculty sought are necessary to enable the continuation of the Nursery, which contributes to the viability of the school, and the rebuilding of good relations across the community for the ongoing maintenance of the Churchyard.

Appendix 1 – Aerial photograph of land plot



Appendix 2 – Land Ownership at Todmorden CE J, I & N School



Appendix 3 – Graves on the plot of land where Woodlands is built; photograph during the 2016 re-build

