

To: Members of the Cabinet

Date: 10 February 2016

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Dear Councillor

You are invited to attend a meeting of the **CABINET** to be held at **10.00 am** on **TUESDAY, 16 FEBRUARY 2016** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

### **PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING**

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTERESTS (Pages 5 - 6)**

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

#### **3 URGENT MATTERS**

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

#### **4 MINUTES (Pages 7 - 12)**

To receive the minutes of the Cabinet meeting held on 12 January 2016 (copy enclosed).

#### **5 FINANCE REPORT (Pages 13 - 30)**

To consider a report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) detailing the latest financial position and progress against the agreed budget strategy.

**6 PROPOSAL TO CLOSE YSGOL LLANBEDR DC AS OF 31 AUGUST 2016 WITH EXISTING PUPILS TRANSFERRING TO YSGOL BORTHYN, RUTHIN SUBJECT TO PARENTAL PREFERENCE** (Pages 31 - 104)

To consider a report by Councillor Eryl Williams, Lead Member for Education (copy enclosed) presenting the objection report for consideration and seeking Cabinet approval to implement the proposal.

**7 RHYL WATERFRONT DEVELOPMENT PROJECT UPDATE** (Pages 105 - 118)

To consider a report by Councillor Hugh Evans, Leader and Lead Member for the Economy (copy enclosed) updating Cabinet on progress with the Rhyl Waterfront Development project and seeking approval to proceed.

**8 RECOMMENDATIONS OF THE STRATEGIC INVESTMENT GROUP** (Pages 119 - 126)

To consider a report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) seeking Cabinet's support of projects identified for inclusion in the 2016/17 Capital Plan.

**9 HOUSING RENT SETTING & HOUSING REVENUE AND CAPITAL BUDGETS 2016/17** (Pages 127 - 136)

To consider a report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) seeking approval of the proposed rent increase for council housing and to approve the Housing Revenue Account Capital and Revenue Budgets for 2016/17.

**10 UPDATE ON THE GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT** (Pages 137 - 186)

To consider a report and **confidential appendix** by Councillor Barbara Smith, Lead Member for Modernisation and Housing (copy enclosed) presenting the Gypsy and Traveller Accommodation Assessment for approval to Welsh Government and seeking approval to utilise a regional approach to the search for sites to meet any future provision required.

**11 CABINET FORWARD WORK PROGRAMME** (Pages 187 - 190)

To receive the enclosed Cabinet Forward Work Programme and note the contents.

**PART 2 - CONFIDENTIAL ITEMS**

## EXCLUSION OF PRESS AND PUBLIC

It is recommended in accordance with Section 100A (4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item of business because it is likely that exempt information as defined in paragraph 14 of Part 4 of Schedule 12A of the Act) would be disclosed.

### **12 AWARD OF CONTRACT FOR DISPOSAL OF RESIDUAL WASTE** (Pages 191 - 198)

To consider a confidential report by Councillor David Smith, Lead Member for Public Realm (copy enclosed) seeking Cabinet's approval to award a single contract for waste disposal.

### **13 AWARD OF LOCAL BUS SERVICE CONTRACT** (Pages 199 - 212)

To consider a confidential report by Councillor David Smith, Lead Member for Public Realm (copy enclosed) seeking Cabinet's approval to award a local bus service contract.

## MEMBERSHIP

### Councillors

Hugh Evans  
Julian Thompson-Hill  
Eryl Williams  
Bobby Feeley

Hugh Irving  
Huw Jones  
Barbara Smith  
David Smith

### COPIES TO:

All Councillors for information  
Press and Libraries  
Town and Community Councils

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## LOCAL GOVERNMENT ACT 2000

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### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of  
*(\*please delete as appropriate)*

**Denbighshire County Council**

**CONFIRM** that I have declared a \***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-  
*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

\*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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## **CABINET**

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 12 January 2016 at 10.00 am.

## **PRESENT**

Councillors Hugh Evans, Leader and Lead Member for the Economy; Bobby Feeley, Lead Member for Social Care, Adult and Children's Services; Hugh Irving, Lead Member for Customers and Libraries; Huw Jones, Lead Member for Community Development; Barbara Smith, Lead Member for Modernisation and Housing; David Smith, Lead Member for Public Realm; Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance and Eryl Williams, Deputy Leader and Lead Member for Education

**Observers:** Councillors Ann Davies and Meirick Davies

## **ALSO PRESENT**

Chief Executive (MM); Corporate Directors: Economy and Public Realm (RM) and Communities (NS); Head of Legal, HR and Democratic Services (GW); Supporting People Team Manager (KN); Chief Finance Officer (RW), and Committee Administrator (KEJ)

### **1 APOLOGIES**

There were no apologies.

### **2 DECLARATION OF INTERESTS**

Councillor Meirick Davies declared a personal interest in Agenda Item 6: Budget 2016/17 because he was Chair of the Fire Authority.

### **3 URGENT MATTERS**

No urgent matters had been raised.

### **4 MINUTES**

The minutes of the Cabinet meeting held on 15 December 2015 were submitted.

***RESOLVED** that the minutes of the meeting held on 15 December 2015 be approved as a correct record and signed by the Leader.*

### **5 DENBIGHSHIRE SUPPORTING PEOPLE LOCAL COMMISSIONING PLAN 2016-19**

Councillor Bobby Feeley presented the report seeking Cabinet approval of the Supporting People Local Commissioning Plan 2016 – 19 prior to its submission to the North Wales Regional Collaborative Committee.

Supporting People (SP) was a Welsh Government funding stream providing housing related support to vulnerable people to enable them to live as independently as possible. Councillor Feeley reported upon the good work undertaken within Denbighshire supporting a range of projects via charities and the third sector together with key internal support services which were funded by the SP grant. The Plan detailed priorities and actions over the next three years and reference was made to the funding implications arising from funding cuts, with indicative reductions by provider for 2016/17 contained within a confidential appendix to the main report.

Cabinet considered the priorities detailed within the report together with the proposals to manage the reduction in funding. Members recalled they had called for on-going assistance for the SP Programme at full Council in September 2015 and whilst Welsh Government had not reduced the budget this year, further cuts were expected in the future. Members questioned the sustainability of future projects in light of further cuts and sought assurances regarding plans to mitigate funding reductions. Officers explained the methodology in planning for funding cuts which had mainly been achieved to date through efficiencies and negotiations with service providers which had not yet impacted on frontline services. Members' attention was drawn to the comparison of 2014/15 and 2015/16 spend as detailed in the Plan and officers confirmed that a contingency fund had been established in the event of any in year cuts being applied. A needs mapping exercise was used in order to distribute funding appropriately taking into account Welsh Government direction. Future funding cuts required some services to be decommissioned which would be carried out in line with the Denbighshire SP Decommissioning Strategy. Much work was being carried out in order to evidence outcomes and demonstrate the sustainability of those services commissioned. Responding to questions regarding the Council's response to refugee status, officers reported upon the Government's resettlement programme for Syrian refugees. It was clarified that a different statutory process applied to asylum seekers.

**RESOLVED** that Cabinet approves the Supporting People Local Commissioning Plan 2016 – 19 prior to its submission to the Regional Collaborative Committee in February 2016.

## **6 BUDGET 2016/17 (FINAL PROPOSALS - PHASE 6)**

Councillor Julian Thompson-Hill presented the report setting out the implications of the Draft Local Government Settlement 2016/17 and proposals to finalise the budget for 2016/17, including the level of Council Tax.

Councillor Thompson-Hill provided an overview of the budget process and latest budget position and elaborated upon the proposals for consideration and recommendation to full Council in order to set the budget for 2016/17. The draft settlement had been much better than expected with an overall cash reduction of 1.2% to Denbighshire which meant a funding reduction of £3.9m less than anticipated. Consequently the latest proposals required no further savings from services in 2016/17 (savings of £5.2m had already been identified) and would allow for a lower level of Council Tax rise from 2.75% to an average of 1.5%. The



proposed budget had also taken into account an increase in funding to schools to meet the national level of protection at 1.85% and to set aside £480k to mitigate risks to delivering the budget.

Cabinet discussed the budget proposals at length and the main areas of debate focused on the following –

- members considered the adequacy of the proposed budget contingency of £480k and discussed the risks associated with delivering the budget given that councils were having to set budgets and Council Tax based on a provisional settlement. A number of revenue grants had not yet been confirmed and some of the savings agreed for 2016/17 may require a longer lead-in time to deliver. There was also scope for the final settlement to change, particularly in light of lobbying from rural councils who had been subject to greater reductions. The role of the Welsh Local Government Association in that process was discussed together with the possibility of councils with more favourable settlements providing subsidies for those worse off. The Chief Executive reported that such an approach was possible but unlikely and it was expected that the funding shortfall for rural councils would more likely be subsidised through other grant funding streams rather than a review of the draft settlements. Based on current assumptions the proposed budget contingency of £480k to mitigate risk was considered appropriate. Any greater shortfall in the budget would lead to further scrutiny of individual budgets and/or the use of corporate reserves. Councillor Barbara Smith felt the council should make it clear that it would not be reversing any previous budgetary decisions in light of the better than expected settlement
- Councillor Eryl Williams felt it would be prudent to consider an average Council Tax increase of 2% in order to protect against future cuts and mitigate financial risks. He noted there had been consensus for a 1.5% average increase at the last budget workshop but due to the low attendance he felt that view may not be truly representative. There was some debate around the pros and cons of such an approach and balancing the need for prudence and contingency over the impact on residents. The majority of members believed that, given the better than expected settlement and affordability of the Council's budget with a 1.5% increase, and given that Denbighshire's Council Tax level was still high compared to other Welsh authorities, a 1.5% increase would be prudent and appropriate. There were also reservations that a contingency reserve would be built up for no specific purpose. It was acknowledged that the issue would likely be subject to further debate at full Council and it was suggested there may be merit in providing a further breakdown of figures for a 2% average increase for consideration at that meeting to put the actual amount for each band into context. It was noted that the council had no control over other elements making up the Council Tax – the Fire Service levy or Police and City/Town/Community Council precepts
- reference was made to the 1.85% increase in funding to schools to meet the national level of protection and members considered whether there would be any merit in seeking a breakdown of the amounts given to individual schools together with evidence of outcomes as a result of the additional funding. Mention was made to the role of the Schools Budget Forum within that process

and as the amounts to individual schools would vary, and given that any additional funding would likely address existing school budget pressures, it was agreed there would be little merit in such an analysis but that the Schools Standards Monitoring Group would be best placed to look into the matter. It was also noted that the impact on schools was unclear in terms of Welsh Government funding, particularly for the foundation phase and Post 16 education. Councillor Eryl Williams advocated a more open and transparent process with regard to schools funding allocations. He felt that more could be done to highlight the funding increase for schools and the fact that spend per pupil in Denbighshire was higher than other local authorities together with the significant investment in schools via the 21st Century Schools Programme

- in terms of the possibility of a further direction from Welsh Government to financially protect social care it was noted that there was an expectation that councils did not cut social care budgets but no clarification given as to how they should meet that expectation in terms of specific care services. Councillor Bobby Feeley elaborated upon the reasoning for re-designing social care services in order to respond to changing needs and demographics and not just as a response to budget pressures, citing in-house care services as an example
- clarity was sought over the impact of the budget on the council's general reserves and members were reminded that last year full Council had approved the use of £500k general balances to support the revenue budget for the next three financial years. The decision had been made following an assessment of balances and it was considered that a managed reduction over three years was an acceptable approach.

The Leader was pleased to acknowledge the better than expected draft settlement. He referred to the open and transparent budget setting process and paid tribute to the work of officers and services involved in that regard. Assurance could be taken from Denbighshire's robust financial planning and the fact that the Cutting Our Cloth Task and Finish Working Group had not found any outstanding issues when reviewing the impact of budget decisions. The Leader was pleased to support the budget proposals in order to deliver a budget which also allowed for investment in the council's priorities. The Chief Finance Officer highlighted the difficulties in financial planning due to the uncertainty over the level of financial settlements and provided some context in terms of budget assumptions going forward.

**RESOLVED** that Cabinet –

- (a) *notes the impact of the Provisional Local Government Settlement and that no further savings beyond the £5.2m already approved are required from services for 2016/17, and*
- (b) *supports the following proposals and accordingly recommends them to the full Council in order to finalise the 2016/17 budget:*
  1. *to increase funding to schools to meet the national level of protection of +1.85%*

2. *to set aside a one-year budget delivery contingency of £480k for 2016/17 to mitigate the risks to the delivery of the budget set out in the report*
3. *to recommend to Council the resulting average increase in Council Tax of 1.5%.*

At this juncture (12 noon) the meeting adjourned for a refreshment break.

## **7 FINANCE REPORT**

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy. He provided a summary of the Council's financial position as follows –

- a net under spend of £0.460m was forecast for service and corporate budgets
- 91% of agreed savings had been achieved to date (target £7.3m) and the majority of the remaining savings were projected to be achieved by 2016/17 at the latest
- highlighted key variances from budgets or savings targets relating to individual service areas, and
- a general update on the Housing Revenue Account, Housing Capital Plan and the Capital Plan (including the Corporate Plan element).

Councillor David Smith provided an update on highway matters advising that new parking fees would be operational from 1 March 2016 to alleviate the overspend in this area. He reported upon work currently being undertaken to update parking meters in order to accept card payments and serving legal notice of the new fees. Councillor Smith also reported upon an ongoing legal challenge around the designation of a safe route in the south of the county following implementation of the new school transport policy. The Head of Legal, HR and Democratic Services provided further information regarding the legal process and potential outcomes surrounding the legal challenge in response to questions thereon. In terms of work carried out on behalf of the Trunk Road Agency this remained a risk.

Councillor Huw Jones highlighted the need to address how Town and Area Plans would be progressed in future to ensure their continuation. The Leader referred to a forthcoming meeting at which that matter could be taken forward.

***RESOLVED*** that Cabinet notes the budgets set for 2015/16 and progress against the agreed budget strategy.

## **8 CABINET FORWARD WORK PROGRAMME**

The Cabinet Forward Work Programme was presented for consideration and members noted the contents.

The Chief Executive took the opportunity to provide a verbal update on the potential joint faith school advising that other possible options to those that had been presented would be explored with the outcome reported back to Cabinet briefing.

***RESOLVED*** that Cabinet's Forward Work Programme be noted.

The meeting concluded at 12.30 p.m.

**Report To: Cabinet**

**Date of Meeting: 16th February 2016**

**Lead Member / Officer: Councillor Julian Thompson-Hill / Richard Weigh, Chief Finance Officer**

**Report Author: Steve Gadd, Chief Accountant**

**Title: Finance Report**

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**1. What is the report about?**

The report gives details of the council's revenue budget and savings as agreed for 2015/16. The report also provides a summary update of the Capital Plan as well as the Housing Revenue Account and Housing Capital Plan.

**2. What is the reason for making this report?**

The purpose of the report is to provide an update on the council's current financial position.

**3. What are the Recommendations?**

Members note the budgets set for 2015/16 and progress against the agreed budget strategy.

Members approve the allocation of £4.8m contingency to support Glasdir and Ysgol Carreg Emlyn schemes within the 21<sup>st</sup> Century Schools Programme, to be funded from the release of revenue budgets from within the overall Schools Modernisation Programme.

Members approve the write-off of debts owed by The Scala Prestatyn Company Limited amounting to £140k.

Members approve the allocation of £1.5m from the review of balance sheet provisions and in year contingencies to the Capital Plan.

**4. Report details**

The report provides a summary of the council's revenue budget for 2015/16 detailed in **Appendix 1**. The council's net revenue budget is £185m (£188m in 14/15). The position on service and corporate budgets is a forecast underspend of £0.418m (£0.460m under at the end of December). Further narrative around the reasons for variances and the risks and assumptions underlying them are outlined below.

Savings of £7.3m were agreed as part of the budget and a summary of the savings is shown as **Appendix 2**. £6.647m (91%) of the savings have already

been achieved. As reported previously, the majority of the remaining 9% of savings are projected to be achieved by 2016/17 at the latest.

**5. How does the decision contribute to the Corporate Priorities?**

Effective management of the council's revenue and capital budgets and delivery of the agreed budget strategy underpins activity in all areas, including corporate priorities.

**6. What will it cost and how will it affect other services?**

Significant service narratives are shown in the following paragraphs.

**Children's Services** – The service is currently expected to overspend by £308k (£241k overspend last month). As noted last month there is always the possibility of changes to high costs placements which can adversely affect the projected outturn within this service. The movement from last month relates to a number of new residential and independent fostering placements. It is still hoped the service can reduce the current projected overspend before the end of the financial year, otherwise the pressure will be funded through the Specialist Placement Reserve.

**Planning and Public Protection** – The service is currently projected to underspend by £89k (£61k last month) largely due to the early implementation of agreed budget savings. The movement from last month relates to further staff vacancies and an increase in projected income.

**Highways and Environmental Services** – A number of risks and issues still exist within the service both in 2015/16 and beyond relating to Parking, School Transport, and the North and Mid Wales Trunk Road Agency. As reported in detail in previous reports management action has been identified to help mitigate these particular risks and the effects have also been offset by a number of underspends elsewhere within the service. The service is therefore currently still projected to overspend by £75k (£112k overspend reported last month). The movement relates to further careful management of discretionary expenditure across the service. So far, expenditure on winter maintenance activity has been much lower than in previous years and if this continues, it will also contribute to funding the pressures highlighted above.

The effect of the severe wet weather at the end of December has left the Council with a backlog of maintenance required on the road network. A full assessment of the requirement is still to be finalised but is likely to be in excess of £250k. Welsh Government funding is being sought, however the work will be funded from the Severe Weather Reserve even if no external funding becomes available.

**Legal, HR & Democratic Services** – The service is now projected to overspend by £67k (break-even position last month). The majority of this movement relates to staff exit costs which forms part of a restructure which will help the service modernise and become more resilient in the coming years.

**Finance, Assets & Housing** - The service is now projected to underspend by £24k which relates to staff vacancies.

**Business Improvement and Modernisation** – The service is now projected to underspend by £126k (£86k underspend last month) largely due to vacancy savings related to the early achievement of efficiencies agreed as part of the Phase 4 savings for 2016/17. The movement is largely due to a delay in providing additional staffing resource for Strategic Planning and Corporate Information.

**School Improvement and Inclusion** – The service is currently projected to underspend by £114k (£116k underspend reported last month). £33k of the underspend is due to the early achievement of the School Library Service efficiency, the remaining £81k is due to temporary vacancy savings pending the merger of the service with Children’s Services. It is hoped that this underspend can be utilised in future years to help fund the additional service requirements resulting from the draft Additional Learning Needs and Education Tribunal Bill which sets out proposals for a new legislative system for supporting children and young people, aged 0-25, who have additional learning needs.

**Schools** - The latest projection for school balances is £1.426m, which is a reduction of £2.112m on the balances brought forward from 2014/15 (£3.538m). Monitoring reports have been submitted to finance detailing the risks and assumptions that have informed the projections and summaries of plans in place for using reserves and/or dealing with projected deficits. The non-delegated budget is currently projected to overspend by £69k due to additional costs related to the expansion of Broadband in Schools. It is hoped this overspend will be offset by a reduction in historic pension costs, although these figures will not be known until the end of the financial year.

**Economic and Business Development** - The service is currently projected to underspend by £142k (£51k underspend last month). In May the newly restructured EBD Team was put in place, with a significant change in direction and new focus on engagement with the business community which required the development of a new programme of work for the team. The underspend is due to a delay in project work within the following areas:

- Town Centre Growth Plan
- Tourism Growth Plan
- Timing of the award of Small Business Grants
- Cancellation of a Business Networking Event

There is no reduction in the number or scale of actions proposed in spending plans and costs are now expected to be incurred in the next financial year for which it is hoped the service will be able to carry forward appropriate funds.

**Corporate** – It is currently projected that there will be an underspend on Corporate budgets of £374k (£454k underspend last month). The movement from last month relates to the formal write-off of the loan to the Scala (see below).

As stated last month there has been a review of corporate contingencies, provisions and reserves ongoing. This review has identified £700k as a one-off contribution from corporate contingencies and £800k from provisions held on the balance sheet which can now be released. It is currently projected that £1.5m will be contributed to the Capital Plan as noted in the capital report also on this agenda. The review of reserves has yet to be finalised and will be reported to Members before the end of the financial year.

As highlighted over recent months, the risk remains on corporate budgets around the likelihood of further contributions being levied to service the council's obligations (along with most others in the UK) in respect of the former Mutual Municipal Insurance Company. Councils were mutual members of the company and have inherited liabilities upon its winding up. The liabilities relate to historical claims. This follows £393k that was paid in 2014/15. No figures have been quoted as yet for the latest levy but the council's maximum exposure is £2.225m. Although we are not expecting notification of the financial obligation before March 2016, it is likely that the figure will be similar to that paid in 2014/15 and if so, it will be funded from the corporate budget.

The Council has been informed by the insolvency solicitors that the process to remove The Scala Prestatyn Company Limited from the Register of Companies has formally begun. As part of this the solicitors have written to the Council to inform us that 'Scala has no assets and is not in a position to make any outstanding payments'. The total debt owed by the company to the council amounts to £140k (£60k in sundry debtors and an £80k loan). It is now recommended that these debts are formally written off. The sundry debtors were provided for in full at year end last year so will have no effect on this year's outturn and the write-off of the loan will be funded from corporate contingencies as noted above.

**Other Service Risks / Assumptions** – Although other services are currently projected to break even, as always, there are a number of risks and assumptions that will be monitored closely over the coming months and reported to Members.

**Corporate Plan** cash reserves at the beginning of 2015/16 are £17.413m. Allowing for projected funding and expenditure during the year, the Corporate Plan reserve at the end of the year is estimated to be £4.231m.

A summary of the council's **Capital Plan** is enclosed as **Appendix 3**. The approved general capital plan is £47.5m with expenditure to date of £33.4m. Also included within Appendix 3 is the proposed expenditure of £25.2m in 2015/16 on the **Corporate Plan**. The Strategic Investment Group (SIG) discussed the funding requirements of the Ruthin Primary School 21<sup>st</sup> Century Schools project on the 28<sup>th</sup> January. SIG have made a recommendation to Cabinet that £4.8m contingency is set aside to support Glasdir and Ysgol Carreg Emlyn schemes, funded from the release of revenue budgets from within the project. It can be confirmed that this sum is affordable and maintains progress on the overall 21st Century schools programme. **Appendix 4** provides an update on the major projects included in the Capital Plan.



The **Housing Revenue Account (HRA)**. The latest revenue position assumes an increase in balances at year end of £170k compared to a budgeted increase of £168k. HRA balances are forecast to be £2.021m at the end of the year. The Housing Capital Plan forecast expenditure is £5.6m. Any slippage in the capital plan will be rolled forward into the Housing Capital Plan for 2016/17.

**Treasury Management** – At the end of January the council's borrowing totalled £187.342m at an average rate of 4.98%. Investment balances were £10.0m at an average rate of 0.7%.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision?**

A detailed impact assessment was produced as part of the budget setting process and was reported to Council in December 2014.

**8. What consultations have been carried out with Scrutiny and others?**

In addition to regular reports to the Corporate Governance Committee, the budget process was considered by CET, SLT, Cabinet Briefing and Council Briefing meetings. Specific proposals were reviewed by scrutiny committees and there was a public engagement exercise to consider the impact of budget proposals. The council consulted its partners through the joint Local Service Board and specific discussions took place with the Police. All members of staff were kept informed during the budget setting process and affected staff have been or will be fully consulted, in accordance with the council's HR policies and procedures. Trade Unions were consulted through the Local Joint Consultative Committee.

**9. Chief Finance Officer Statement**

It is important that services continue to manage budgets prudently and that any in-year surpluses are considered in the context of the medium-term financial position, particularly given the scale of budget reductions required over the coming two or three years. The additional funding to support the Corporate Plan is affordable and can be met from existing resources within the overall programme.

**10. What risks are there and is there anything we can do to reduce them?**

This is the most challenging financial period the council has faced and failure to deliver the agreed budget strategy will put further pressure on services in the current and future financial years. Effective budget monitoring and control will help ensure that the financial strategy is achieved.

**11. Power to make the Decision**

Local authorities are required under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of their financial affairs.

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Appendix 1

**DENBIGHSHIRE COUNTY COUNCIL REVENUE BUDGET 2015/16**

Jan-16	Net Budget	Budget 2015/16			Projected Outturn						Variance	
	2014/15	Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net	Net	Previous Report
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	%	£'000
Communication, Marketing & Leisure	5,727	10,704	-6,853	3,851	11,494	-7,643	3,851	790	-790	0	0.00%	0
Customers & Education Support	2,454	7,261	-1,918	5,343	7,974	-2,631	5,343	713	-713	0	0.00%	0
School Improvement & Inclusion	4,555	16,898	-12,989	3,909	17,091	-13,296	3,795	193	-307	-114	-2.92%	-116
Business Improvement & Modernisation	3,734	5,717	-1,680	4,037	6,292	-2,381	3,911	575	-701	-126	-3.12%	-86
Legal, HR & Democratic Services	2,395	3,473	-1,061	2,412	3,628	-1,149	2,479	155	-88	67	2.78%	0
Finance & Assets	8,354	10,906	-4,353	6,553	11,013	-4,484	6,529	107	-131	-24	-0.37%	-45
Highways & Environmental Services	18,829	33,692	-15,486	18,206	34,150	-15,869	18,281	458	-383	75	0.41%	112
Planning & Public Protection	2,480	3,790	-1,434	2,356	3,902	-1,635	2,267	112	-201	-89	-3.78%	-61
Community Support Services	32,269	46,112	-14,332	31,780	46,942	-15,162	31,780	830	-830	0	0.00%	0
Economic & Business Development	1,421	879	-80	799	891	-234	657	12	-154	-142	-17.77%	-51
Children's Services	8,419	9,189	-896	8,293	9,542	-941	8,601	353	-45	308	3.71%	241
<b>Total Services</b>	<b>90,637</b>	<b>148,621</b>	<b>-61,082</b>	<b>87,539</b>	<b>152,919</b>	<b>-65,425</b>	<b>87,494</b>	<b>4,298</b>	<b>-4,343</b>	<b>-45</b>	<b>-0.05%</b>	<b>-6</b>
Corporate	16,142	45,620	-29,015	16,605	45,246	-29,015	16,231	-374	0	-374	-2.25%	-454
Precepts & Levies	4,342	4,361	0	4,361	4,361	0	4,361	0	0	0	0.00%	0
Capital Financing	13,330	12,945	0	12,945	12,945	0	12,945	0	0	0	0.00%	0
<b>Total Corporate</b>	<b>33,814</b>	<b>62,926</b>	<b>-29,015</b>	<b>33,911</b>	<b>62,552</b>	<b>-29,015</b>	<b>33,537</b>	<b>-374</b>	<b>0</b>	<b>-374</b>	<b>-1.10%</b>	<b>-454</b>
<b>Council Services &amp; Corporate Budget</b>	<b>124,451</b>	<b>211,547</b>	<b>-90,097</b>	<b>121,450</b>	<b>215,471</b>	<b>-94,440</b>	<b>121,031</b>	<b>3,924</b>	<b>-4,343</b>	<b>-419</b>	<b>-0.34%</b>	<b>-460</b>
<b>Schools &amp; Non-delegated School Budgets</b>	<b>63,731</b>	<b>73,806</b>	<b>-10,500</b>	<b>63,306</b>	<b>75,274</b>	<b>-9,787</b>	<b>65,487</b>	<b>1,468</b>	<b>713</b>	<b>2,181</b>	<b>3.45%</b>	<b>1,712</b>
<b>Total Council Budget</b>	<b>188,182</b>	<b>285,353</b>	<b>-100,597</b>	<b>184,756</b>	<b>290,745</b>	<b>-104,227</b>	<b>186,518</b>	<b>5,392</b>	<b>-3,630</b>	<b>1,762</b>	<b>0.95%</b>	<b>1,252</b>
<b>Housing Revenue Account</b>	<b>-163</b>	<b>13,441</b>	<b>-13,609</b>	<b>-168</b>	<b>13,568</b>	<b>-13,738</b>	<b>-170</b>	<b>127</b>	<b>-129</b>	<b>-2</b>		<b>29</b>

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## Appendix 2 Agreed Savings 2015/16

Agreed Savings by Service Area	STATUS	2015/16 £'000
<b>Highways &amp; Environment</b>		
Street Cleansing - reduce activity	Achieved	100
Increase Cemetery Charges	Achieved	50
Reduce Rights of Way activity	Achieved	71
Reduce Road Safety Programme	Achieved	50
Reduce Street Lighting Inspections	Achieved	5
Introduce Charges for Green Waste	Achieved	400
Remove or reduce public transport subsidy	Achieved	166
Highways general maintenance review	Achieved	125
Reduce grounds maintenance activity	Achieved	40
Rationalisation of Countryside Services	Achieved	65
<b>Communication, Marketing &amp; Leisure</b>		
Reduce spend on recruitment advertising in newspapers	Achieved	30
Stop production of paper version of County Voice	Achieved	19
Leisure Centres - further increase income and efficiency	In Progress	118
Rhyl Pavilion - restructure and introduction of transaction fees	Achieved	62
Youth Services - changes to open access programme	Achieved	28
Youth Services - staffing structure	Achieved	46
Remove subsidy from Scala Prestatyn	Achieved	40
Rationalise Tourist Information Centres - inc. changes to opening hours	Achieved	20
Introduce charges for the use of the Drift Park water play area in Rhyl and reduce the level of Lifeguard Cover on the beaches from 2015/16	Achieved	48
Increase income recharge or transfer Denbigh Town Hall	Achieved	17
Library Service - modernisation programme (Stage 1 - delete vacant posts, reduce book fund)	Achieved	130
Library Service (Ruthin Craft Centre - reduce subsidy)	Achieved	10
<b>Education Support</b>		
Remove historic contingency budgets	Achieved	78
Premises Budget - stop facilities management service provided to schools	Achieved	70
Clothing Grants - end council support with the option to pay passed to schools	Achieved	4
Remission claims - end council support with the option to pay passed to schools	Achieved	34
Governor Support - change the way support is provided	Achieved	31
<b>Schools Delegated Budgets</b>		
Demography reduction to reflect fall in pupil numbers	Achieved	242
Use of Corporate Plan additional funding to meet 1 % protection target	Achieved	581
<b>School Inclusion</b>		
Review Additional Learning Needs - removal of external chair moderation	Achieved	3
Behaviour Support - property savings from moving Project 11	Achieved	3
Specialist equipment - reduce budget to match expenditure	Achieved	5
Review Education Social Worker Service	Achieved	120
Review Educational Psychology Service	Achieved	30
Review of Counselling Service	Achieved	100
Reduce Recoupment Budget to match expenditure	Achieved	140
<b>School Improvement Services</b>		
Regional Consortium Office costs - renegotiate costs	Achieved	30
School Library Service - stop the service	Achieved	45
Music Service - end the agreement with William Mathias	Achieved	103
School improvement discretionary subsidies - remove to match demand	Achieved	141
Outdoor pursuits SLA - involves transferring the cost to schools	Achieved	23
<b>Customer Services</b>		
Website Advertising - scope for additional income	Achieved	10
Rhyl One Stop Shop Review	Achieved	100
<b>Finance &amp; Assets</b>		
Finance - modernisation and efficiency	Achieved	60
Finance - external funding team, removal of base budget	Achieved	65
Property - Office Accommodation Rationalisation	In Progress	100
Property - management restructure	Achieved	80
Reduce the Miscellaneous Property Portfolio	Achieved	20
Property School Facilities Management Agreement	Achieved	48

Agreed Savings by Service Area	STATUS	2015/16 £'000
Revenues & Benefits Commercial Partnership	Achieved	80
<b>Corporate</b>		
Capital Financing & PFI	Achieved	650
Energy Efficiency - result of lower consumption and price increases	Achieved	300
Removal of contingency budgets	Achieved	50
<b>Corporate Complaints</b> - provision to be considered as part of the wider corporate review of support/business services	Review	40
<b>Business Improvement &amp; Modernisation</b>		
Community Safety Partnership - review contribution	Achieved	5
Information Management - service redesign	Achieved	50
Corporate Improvement Team (corporate review of support/business services)	Review	180
Corporate Project Team - increase external charges	Achieved	10
Partnerships & Communities Team	Achieved	30
Internal Audit	Achieved	75
<b>Legal &amp; Democratic Services</b>		
Reduce the Number of Committee Meetings - saving on travel costs	Achieved	2
Reduction of Civics budget	Achieved	5
<b>Strategic HR</b>		
Not replacing Head of Service	Achieved	50
Staff Training & Development - greater use of e-learning etc	Achieved	15
<b>Adult &amp; Business Services</b>		
PARIS - electronic Domiciliary Care Invoices	Achieved	37
Receivership	Achieved	13
Cefndy Healthcare	Achieved	71
Workforce Development	Achieved	75
Restructure of Locality Services	Achieved	100
Benefits & Welfare Advice Service Review	In Progress	200
<b>Children &amp; Family Services</b>		
Staffing Budgets - realign to current requirement	Achieved	150
ICT Desktop Budget	Achieved	10
Young Carers - revised contribution to regional service	Achieved	6
Children with Disabilities - reduction to equipment budget to match spend	Achieved	10
Adoption support costs	Achieved	20
National Youth Advocacy Contract	Achieved	10
Child Protection Training	Achieved	10
Parental contributions for services provided for Children with Disabilities	Achieved	50
<b>Planning &amp; Public Protection</b>		
Development Management - increase income revenue for pre application advice	Achieved	45
Public Protection - closure of Pest Control Service	Achieved	95
Pollution Control - review to consider minimum level of provision	Achieved	20
Trading Standards - stop providing consumer advice	Achieved	45
<b>Housing &amp; Community Development</b>		
HRA Recharges - increase costs funded by the Housing Revenue Account	Achieved	270
Remove Town & Area Plan Budgets	Achieved	356
Reduce Core Project/Development Budget	Achieved	159
Reduce staffing budget - deletion of a vacant post	Achieved	42
Reduce non-staffing elements throughout the Economic & Business Development Budget	Achieved	43
<b>Total Agreed Savings 2015/16</b>		<b>7,285</b>

<b>Summary:</b>	£'000	%
Savings Achieved/Replaced	<b>6,647</b>	<b>91</b>
Savings In Progress/Being Reviewed	<b>638</b>	<b>9</b>
Savings Not Achieved or Deferred and not replaced	<b>0</b>	<b>0</b>
<b>Total</b>	<b>7,285</b>	

**General Capital Plan**

		2015/16	2016/17	2017/18	2018/19
		£000s	£000s	£000s	£000s
<b>Capital Expenditure</b>					
	Total Estimated Payments - General	21,686	2,207	171	171
	Total Estimated Payments - Corporate Plan	24,999	12,617	5,008	454
	Contingency	772	500	500	500
	<b>Total</b>	<b>47,457</b>	<b>15,324</b>	<b>5,679</b>	<b>1,125</b>
<b>Capital Financing</b>					
1	External Funding	15,576	8,680	7,303	5,055
2	Receipts and Reserves	14,023	7,075	658	
3	Prudential Borrowing	17,858	3,937	2,086	438
5	Unallocated Funding	(0)	(4,368)	(4,368)	(4,368)
	<b>Total Capital Financing</b>	<b>47,457</b>	<b>15,324</b>	<b>5,679</b>	<b>1,125</b>

**Corporate Plan**

Revised October 2015

		£000s	£000s	£000s	£000s
<b>Approved Capital Expenditure</b>					
	Cefndy Healthcare Investment	30	110		
	Extra Care	799			
<b>included in above plan</b>					
	Highways Maintenance and bridges	2,881			
	Feasibility Study - New Ruthin School	92	526		
	Feasibility Study - Carreg Emlyn	194	184		
	Llanfair/Pentrecelyn Area School	74	409		
	Rhyl High School	17,039	1,935	332	
	Ysgol Bro Dyfrdwy - Dee Valley West Review	4			
	Bodnant Community School	2,606	277	61	
	Ysgol Glan Clwyd	1,248	9,176	4,615	454
	Faith Based Secondary	32			
	<b>Estimated Capital Expenditure</b>	<b>199</b>	<b>17,316</b>	<b>24,744</b>	<b>23,164</b>
	<b>Total Estimated Payments</b>	<b>25,198</b>	<b>29,933</b>	<b>29,752</b>	<b>23,618</b>
<b>Approved Capital Funding</b>					
	External Funding	3,003	2,763	2,622	0
	Receipts and Reserves	11,006	4,621	658	
	Prudential Borrowing	10,990	5,233	1,728	454
	<b>Estimated Capital Funding</b>	<b>0</b>	<b>7,507</b>	<b>9,683</b>	<b>17,165</b>
	External Funding	0	7,507	9,683	17,165
	Receipts and Reserves	199	0	5,959	714
	Prudential Borrowing	0	9,809	9,102	5,285
	<b>Total Estimated Funding</b>	<b>25,198</b>	<b>29,933</b>	<b>29,752</b>	<b>23,618</b>

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## Appendix 4 - Major Capital Projects Update January 2016

### Rhyl Harbour Development

Total Budget	£10.762m
Expenditure to date	£10.541m
Estimated remaining spend in 2015/16	£ 0.221m
Future Years estimated spend	£ Nil
Funding	WG £2.733m; WEFO £5.950m; Sustrans £0.700m; RWE £155k; WREN £83k and DCC £1.141m
Comments	<p><b>Programme</b></p> <p>The work to the remainder of the accessible board walk route which has been funded by a grant from Natural Resources Wales, is now complete other than the placing of one further bench.</p> <p>Work is on-going to rectify any remaining defects associated with works undertaken at the harbour, which includes a review of the current maintenance schedule for the bridge; the inclement weather has delayed some of the defect work.</p>
Forecast In Year Expenditure 15/16	£0.340m

### 21<sup>st</sup> Century Schools Programme – Bodnant Community School Extension and Refurbishment

Total Budget	£3.581m
Expenditure to date	£1.958m
Estimated remaining spend in 15/16	£1.280m
Future Years estimated spend	£0.343m
Funding	WG £1.687m, DCC £1.894m
Comments	<p><b>Bodnant Community School</b></p> <p>This scheme is one of five projects within the Band A proposals for 21<sup>st</sup> Century Schools Programme.</p> <p>The project will build 7 classrooms, a new school hall and supporting facilities on the current Juniors site. This will allow the Infants pupils to move to the Juniors site and the school to operate on a single site. The Infants site will then become surplus to requirements.</p> <p>Following installation of windows, the plumbing and mechanical and electrical 1<sup>st</sup> fix started during January 2016. The installation of external render has been delayed until the end of January due to the poor weather conditions.</p> <p>The project is on schedule to be delivered in readiness for the start of the new school year in September 2016.</p>
Forecast In Year Expenditure 15/16	£2.746m

## 21<sup>st</sup> Century Schools Programme - Rhyl New School

Total Budget	£24.586m
Expenditure to date	£17.752m
Estimated remaining spend in 15/16	£ 4.558m
Future Years estimated spend	£ 2.276m
Funding	DCC £12.293m; WG £12.293m
Comments	<p>The project will provide a new school building for Rhyl High School to serve up to 1,200 pupils in mainstream education whilst also housing approximately 45 pupils from Ysgol Tir Morfa, the community special school in Rhyl.</p> <p>The brickwork and the external cladding are complete. Plaster work is being undertaken to the ground floor and the decoration is making good progress. The installation of the feature cladding to the main central space within the school is nearly complete.</p> <p>The mechanical and electrical work is on-going with final fix activities to the upper floors. The commissioning of the building systems has commenced. The ceiling grids, flooring, fixed furniture, loose furniture and equipment installation is taking place to the first and second floors.</p> <p>Preparations are being made for the decant from the old school building during March and the beginning of April.</p> <p>The external works are now well underway; the elevated link between the school and the leisure centre has been installed, the works to the main entrance and car parking are taking place and areas of hard landscaping adjacent to the school are being formed.</p> <p>Design and build work is well underway for the new PE classroom which will be on the footprint of the squash courts. The external corridor to the Leisure Centre and the squash courts has now been demolished and the recladding works to the side of pool hall are underway. Works to the entrance of the leisure centre will follow after the handover of the old school building to the Contractor in April.</p> <p>There have been some legal issues relating to the substation which has been a cause for concern; this has been resolved but has resulted in a delay to the power supply until January/early February. Generators have been hired to avoid any delays to the programme.</p> <p>The ICT provider for the school is now engaged and the scope of works documents will shortly be signed off by the school.</p> <p>The new school is still programmed to complete in March 2016. The pupils are due to start the summer term in the new school, and then works to demolish the</p>

	<p>existing school buildings and reinstate the grounds will commence.</p> <p>The anticipated completion date of the project is August 2016.</p> <p>There is ongoing consultation with key stakeholders.</p>
Forecast In Year Expenditure 15/16	£17.031m

### 21<sup>st</sup> Century Schools Programme – Ysgol Glan Clwyd

Total Budget	£15.900m
Expenditure to date	£ 1.429m
Estimated remaining spend in 15/16	£ 0.226m
Future Years estimated spend	£14.245m
Funding	DCC £8.410m; WG £7.490m
Comments	<p>This scheme is one of five projects within the Band A proposals for 21st Century Schools Programme. The project will deliver an extended and refurbished Ysgol Glan Clwyd to accommodate a long term capacity of up to 1250 pupils via a new three storey extension, partial demolition of existing buildings and refurbishment of the retained buildings.</p> <p>The project will also see extensive landscaping, with creation of new outdoor hard &amp; soft landscaped areas including a new sports field, extended and rationalised car park and coach parking.</p> <p>Following a start on site at the end of November, there have been some challenges with the removal of earth, getting the contractor site access road in and controlling on site surface water run off given the extreme wet weather encountered throughout December and early January. In addition, there have been other issues around unchartered services that have had to be dealt with on site. This is not unusual given the nature and age of the site.</p> <p>Overall, work is progressing reasonably well with cooperation of all site users.</p> <p>The first interim milestone will be the completion of the new visitors car park to the front of the building which should be completed mid-March 2016. The new build three storey extension is due for completion in December 2016 with the demolition and refurbishment of the retained buildings being delivered in a number of phases from January 2017, with final completion by the end of September 2017.</p> <p>There is ongoing consultation with all key stakeholders including all users of the site. In addition, regular updates via newsletters are distributed locally.</p> <p>The project team are working with the school and wider community to engage with them to develop and deliver a number of community benefits.</p>
Forecast In Year Expenditure 15/16	£1.248m

## 21<sup>st</sup> Century Schools Programme – Ruthin Primary Schools

Total Budget	TBC
Expenditure to date	£ 0.256m
Estimated remaining spend in 15/16	£ 0.230m
Future Years estimated spend	TBC
Funding	TBC
Comments	<p>Denbighshire received permission to extend the scope of the 21<sup>st</sup> Century Schools Programme to include the three Ruthin primary school projects in September 2015. In January 2016, the Strategic Outline Case for the three projects was approved by the Welsh Government. The next stage in the Welsh Government approval process will be submitted in the coming months. On-going work has enabled firm project costs, including contingency funding, to be established for the Glasdir project and Ysgol Carreg Emlyn. Subject to the necessary approvals, this will enable both schemes to proceed and to be operational from September 2017.</p> <p>A review is also taking place of the new school building for the new area school for Llanfair/Pentrecelyn.</p> <p><b>Rhos Street School and Ysgol Penbarras</b></p> <p>This project will deliver new school buildings for Rhos Street School and Ysgol Penbarras for approximately 450 full time pupils on the Glasdir site in Ruthin. The focus for this project over the last 12 months has been on the development of an outline scheme for the shared school. The scheme has been developed to meet the aspirations and requirements of Ysgol Penbarras and Rhos Street School whilst also seeking economies of scale from the shared school approach. The scheme has also been developed to meet the requirements of the site from a Highways and Environmental perspective taking into consideration the surrounding flood risk areas.</p> <p>There have been discussions with the Welsh Government to secure the land access to facilitate the development. The Council is presently seeking to appoint a contractor to deliver the scheme.</p> <p><b>Ysgol Carreg Emlyn</b></p> <p>This project will deliver a new school building in Clocaenog for 95 full time pupils. A range of surveys have been undertaken on potential sites and the identification of these sites has enabled a clearer</p>

	<p>indication to emerge of site specific works required to facilitate the project.</p> <p>Officers have met with representatives from the school to review the initial concept design for the school and initial responses have been favourable.</p> <p>The project is scheduled to be delivered for September 2017.</p>
Forecast In Year Expenditure 15/16	£0.379m

### Nova Development

Total Budget	£4.798m
Expenditure to date	£4.798m
Estimated remaining spend in 15/16	NIL
Future Years estimated spend	NIL
Funding	DCC £4.706m; Other contributions £0.092m
Comments	<p>The Nova Centre has now been fully operational for over two months. The process of 'de-snagging' the building is almost complete and will be fully open to the public from February half term. The Nova has received VAQAS (Visitor Attraction Quality Assurance Scheme) accreditation which was awarded by Visit Wales.</p> <p>The school swimming programme commenced in January 2016 and the site continues to be extremely busy, particularly the soft play area and fitness offer.</p>
Forecast In Year Expenditure 15/16	£3.620m

### West Rhyl Coastal Development Ph 3

Total Budget	£5.553m
Expenditure to date	£5.369m
Estimated remaining spend in 15/16	£0.184m
Future Years estimated spend	£Nil
Funding	DCC £0.864m; WG/WEFO £4.347m; WG £0.199m; Town Plans/Town Council £0.143m
Comments	This coastal defence scheme is the final phase of works designed to protect 2,700 properties from coastal flooding.

	<p>The coastal defence works are now operationally complete.</p> <p>The Welsh Government are being approached with a view to obtaining agreement to funding the increased sea defence costs.</p> <p>The final account has been agreed with the main contractor.</p> <p>The NC5 coastal cycle route is complete. An application for grant has been submitted to the Welsh Government to designate the cycleway along the Coast Road alongside the scheme as well as upgrading connecting routes and the upgrade of the existing crossing.</p> <p>Lecterns have now been installed and the artwork is being produced for the inserts.</p> <p>Anti-skateboard studs have been ordered for installation adjacent to the viewing platform at the West End of the scheme on the double secondary wall.</p> <p>Anti-skid surfacing is ongoing and weather dependent. Upon completion of this work, the benches will be installed.</p> <p>The design and agreement of the concrete coastal protection shelters is ongoing.</p>
Forecast In Year Expenditure 15/16	£2.521m

<b>Report To:</b>	Cabinet
<b>Date of Meeting:</b>	16 <sup>th</sup> of February 2016
<b>Lead Member / Officer:</b>	Councillor Eryl Williams
<b>Report Author:</b>	Nicola Stubbins, Corporate Director: Communities
<b>Title:</b>	<b>Proposal to close Ysgol Llanbedr DC as of 31<sup>st</sup> August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference</b>

---

## 1. What is the report about?

- 1.1. This report is to advise Cabinet of the process required to be followed as a conclusion of the Statutory Notice period in respect of the following proposal;

*“Proposal to close Ysgol Llanbedr DC as of the 31<sup>st</sup> August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference”*

## 2. What is the reason for making this report?

- 2.1. Following the conclusion of the Statutory Notice period a decision is required by Cabinet whether to proceed to implement the proposal as above.

## 3. What are the Recommendations?

- 3.1. The recommendations to Cabinet are;
- (i) To consider the findings of the objection report;
  - (ii) Subject to consideration of the above, to approve implementation of the proposal to close Ysgol Llanbedr as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference.

## 4. Report details

- 4.1. The Council published a statutory notice on 10<sup>th</sup> November 2015. The 28 day statutory period came to an end on the 7<sup>th</sup> December 2015.
- 4.2. The statutory notice was published in line with the requirements of the School Organisation Code (School Standards and Organisation {Wales} Act 2013). The notice was published on Denbighshire County Council’s website and posted at the main entrances of both Ysgol Llanbedr DC and Ysgol Borthyn as the schools subject to the proposal. Each school also received hard copies of the notice (bilingual) to distribute to pupils, parents, carers and guardians, staff members and governors. The schools may also distribute the notice via email.

- 4.3. On the day of publication the statutory consultees listed in the objection report received either a hard copy of the notice or were emailed a link to the Denbighshire County Council website.
- 4.4. A total of **964** objections were received during the statutory notice period. 122 submissions were either letters or emails, a further 719 submissions were template objections and a further 123 were duplicate submissions. The objection report sets out the objections received by type and objector, as follows;
- Appendix One: The Church in Wales Diocese of St. Asaph
  - Appendix Two: The Governing Body of Ysgol Llanbedr DC
  - Appendix Three: Letters and Emails
  - Appendix Four: Template Submissions

### **Process**

- 4.5. In determining proposals the School Organisation Code states that decision makers;
- Must consider whether there are any other related proposals;
  - Must ensure that the statutory consultation has been conducted in accordance with this Code [School Organisation Code Link](#)
  - Must ensure that the proposal has been published in accordance with this Code and the notice contains all the required information;
  - Must consider the consultation document and consultation report [Consultation Document and Formal Consultation Report](#)
  - Must consider the objections and the objection report and any responses to the notice supporting proposals.
- 4.6. Under section 54 of the School Standards and Organisation {Wales} Act 2013 where proposals have been approved or rejected by a local authority the following bodies may within 28 days refer the proposal to the Welsh Minister for consideration;
- Another local authority affected by the proposals;
  - The appropriate religious body for any school affected;
  - The governing body of a voluntary or foundation school subject to the proposals;
  - A trust holding property of a voluntary or foundation school subject to the proposals;
  - A further education institution affected by the proposals.
- 4.7. The School Organisation Code clearly states that “where a local authority’s proposals have received objections, and require determination under section 53 of the 2013 Act, the local authority must not approach the determination of these proposals with a closed mind. Objections must be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in section 1.3 – 1.14 of this Code”.
- 4.8. In considering the proposal Cabinet should take into account the factors highlighted within the Code which include quality and standards in education, need for places



and the impact on accessibility of schools, resourcing of education and other financial implications as detailed in the School Organisation Code.

- 4.9. In addition, in accordance with the 2013 Act Cabinet are required to give full consideration to the objections received by the community to the proposal. The objections have been collated into an Objection Report which details the objections received and the response of the local authority to these concerns.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1. The proposal supports the priority of “Improving performance in education and the quality of our school buildings” and has been highlighted as a work stream as follows;

“We will continue to review school provision across the County to ensure that we provide the right number of school places, of the right type, in the right location.”

## **6. What will it cost and how will it affect other services?**

- 6.1. The proposal will not have an effect on other services within the organisation.
- 6.2. Should the recommendations be approved transport costs could increase.

## **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

- 7.1. The EqIA undertaken in relation to the proposal highlights that Ysgol Llanbedr DC is a Church in Wales primary school. Should the proposal be implemented this provision would cease in the Llanbedr DC area.
- 7.2. The proposed receiving school, Ysgol Borthyn, is a school of the same faith designation which would allow existing pupils of Ysgol Llanbedr to continue to access faith based provision of the same designation and language medium (English medium). Further faith based provision is available within the Ruthin area.

## **8. What consultations have been carried out with Scrutiny and others?**

Full consultation has been undertaken with all stakeholders and the findings from the Formal Consultation period were presented to Cabinet on 27<sup>th</sup> October 2015. Objections submitted during the statutory notice period are summarised in the objection report.

## **9. Chief Finance Officer Statement**

The rejection of the initial proposal by the Minister has resulted in a pressure that is being funded within existing resources for 2015/16. A permanent solution may be required depending on Cabinet’s consideration of the outcome of the Statutory Notice period. The additional transport costs have been taken into account as part of the overall calculation of savings.

**10. What risks are there and is there anything we can do to reduce them?**

There is a strong possibility that the proposal could result in adverse publicity for the Council and in adverse public comments. To minimise this risk the Council will seek to ensure clear communication with all stakeholders.

**11. Power to make the Decision**

School Standards and Organisations (Wales) Act 2013  
Modernising Education Policy Framework (approved by Cabinet January 2009)

## Objection Report

**Proposal to close Ysgol Llanbedr  
Dyffryn Clwyd (Voluntary Controlled,  
Church in Wales- Diocese of St. Asaph)  
as of the 31<sup>st</sup> August 2016 with pupils  
transferring to Ysgol Borthyn, Ruthin  
subject to parental preference**

**February 2016**

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# Foreword- Reviewing Our Schools

Denbighshire County Council {DCC} has a responsibility to periodically review our schools to make sure that we are providing the best education for our pupils, so that they can achieve their full potential. We need to review our school provision to ensure that;

- *Our education provision is of high quality, and is sustainable in the long term;*
- *Improve the quality of school buildings and facilities;*
- *Provide the right number of school places, of the right type, in the right locations.*

In Denbighshire we are carrying out a series of areas reviews. This means we are looking at groups of schools in areas of the County to see if we can improve the delivery of education in each area. This could include closing or merging schools, or opening new schools. We review schools on an area by area basis to make sure that when we make changes to school organisation, we take into account any potential impact on other schools nearby.

The Ruthin area review of primary educational provision began in 2013. The Ruthin area included 11 schools, challenges facing primary educational provision in the Ruthin area include;

- *Surplus places;*
- *Condition and suitability of school sites and facilities;*
- *Provision of mobile classrooms;*
- *School estate efficiency and sustainability.*

## **1. Introduction**

- 1.1. This report is to inform interested parties of the outcome of the objection period which took place between 10<sup>th</sup> of November 2015 and 7<sup>th</sup> of December 2015 with regard to the proposal to close Ysgol Llanbedr as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference.

## **2. Background**

- 2.1. On October 27<sup>th</sup> 2015 Denbighshire County Council's Cabinet approved the publication of a statutory notice regarding the proposed closure of Ysgol Llanbedr as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference.
- 2.2. The statutory notice period began on the 10<sup>th</sup> of November 2015 and ended on the 7<sup>th</sup> of December 2015. The statutory notice was published in line with the requirements of the School Organisation Code "the Code" {School Standards and Organisation (Wales) Act 2013}. The notice was published on Denbighshire County Council website and posted at the main entrances of both Ysgol Llanbedr and Ysgol Borthyn as the two schools subject to the proposal. Each school received hard copies and electronic copies of the notice.
- 2.3. Appendix 1 sets out the consultees who received either a hard copy of the statutory notice or were emailed a link to the website. Parents of pupils in Ysgol Llanbedr were issued a letter of notification informing them of the publication of the proposal. It is important to note this does not form part of the requirement under the Code.
- 2.4. During this objection period 964 objections were received. This included an objection from the Church in Wales Diocese of St Asaph, the Governing Body of Ysgol Llanbedr, parents, staff and members of the community.
- 2.5. Of these objections 122 were received via letter and email and 719 were template objections. A further 123 were duplicate objections,

these duplicate objections were either letters or emails that had been sent to Ysgol Llanbedr as well as the local authority.

2.6. This objection report provides a summary of the statutory objections alongside the authority's response to these objections. A summary of the objections is contained within this report as follows;

- Appendix Two: Diocese of St Asaph
- Appendix Three: Governing Body of Ysgol Llanbedr
- Appendix Four: Objections via Letter and Email
- Appendix Five: Objections via Template Submissions

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## Appendix One

### Distribution List

Stakeholder	Number of Recipients
The Governing Bodies of Ysgol Llanbedr DC, Ysgol Borthyn, Ysgol Gellifor, Rhos Street School, Ysgol Bro Famau and Ysgol Llanfair DC	6
The Diocese of St Asaph	1
The Roman Catholic Diocese of Wrexham	1
Denbighshire County Council Councillors	47
The Governing Bodies of Ysgol Llanbedr, Ysgol Borthyn, Rhos Street School, Ysgol Llanfair DC, Ysgol Bro Famau, Ysgol Rhewl and Ysgol Gellifor	7
Llanbedr DC Community Council	1
Ruthin Town Council	1
Llanelidan Community Council	1
Llanfair DC Community Council	1
Regional and Constituency Assembly Members	7
Members of Parliament	3
The Welsh Ministers	3
Estyn	1
North Wales Regional School Effectiveness and Improvement Service (GWE)	1
Independent nursery and childcare providers in the area	8
All relevant teaching and support staff trade unions	7
Flintshire County Council	1
Conwy County Council	1
Wrexham County Council	1
Powys County Council	1
Gwynedd County Council	1
Taith	6
North Wales Police and Crime Commissioner	1
Denbighshire Children and Young People's Partnership and the Early Years Development and Childcare Partnership & SEN Co-ordinator	2
Communities First Partnership	n/a
<b>Total</b>	<b>110</b>



## Appendix Two

### Diocese of St Asaph Objection

Ref.	Issue Raised	LA Response
D1	<p>The School Organisation Code, relating to The School Standards and Organisation Wales Act 2013, states clearly that 'relevant bodies should place the interests of learners above all others'. Evidence submitted in the Diocesan objection dated 27<sup>th</sup> of July proves this closure is not in the best interests of those learners whose parents wish for them to receive an English-medium faith based education in the Ruthin area.</p> <p>The receiving school does not have space to accommodate the children from Ysgol Llanbedr without significant changes to the teaching space and layout which will cause disruption to the learners already attending the setting and the new learners who would need to attend, should Ysgol Llanbedr close. There is no detail in any of the consultation document to show, in detail, the changes needed to Ysgol Borthyn, the new configuration of teaching space, the impact of the changes to the teaching and its effect on the learners and staff.</p>	<p>The authority would work closely in a transition period with the receiving school, Ysgol Borthyn, should the current proposal be implemented. The accommodation at Ysgol Borthyn lends itself well to flexibility and the authority would work closely with the receiving school to assist in required changes to the teaching environment. This would also be the case should pupils transfer to any other alternative provision in the area. The authority would also work with any school who received pupils should the current proposal be implemented in a transition period.</p> <p>Responses received as part of the formal consultation did not indicate that all pupils are likely to transfer to Ysgol Borthyn should the current proposal be implemented. Of those who responded as parents or prospective parents, 5 stated they would attend Ysgol Borthyn with 12 stating they would attend alternative provision (30 respondents skipped this question).</p> <p>Due to surplus capacity within the area and the current numbers of pupil on roll at Ysgol Llanbedr it is unlikely that the proposal would result in significant reorganisation of the learning environment of any alternative provision. The authority recognises that some additional support may be required and this would be provided by the appropriate departments and services led by Education.</p> <p>Should, if any, alteration of the teaching spaces be required this would be dependent on pupil numbers and the organisation of year groups subject to the transfer of pupils should the current proposal be implemented. Should the current proposal be implemented the authority would work closely with parents of Ysgol Llanbedr to ensure minimal disruption to pupils who would be transferring to either Ysgol Borthyn or another alternative provision. The admissions team would write to all parents affected should the current proposal be implemented.</p>
D2	<p>The code states: 'Local authorities must ensure that there are sufficient schools providing primary and secondary education in their area'. By analysing data and projected figures provided by Denbighshire in their own consultation report dated June 2015, it is clear that, by closing Ysgol Llanbedr, faith-based English medium provision in the Ruthin area drops from 196 places to 142 (a fall of 28%).</p>	<p>Within the formal consultation document the authority contained two sets of pupil projection data, the first set of data contained only actual pupil numbers as of the January PLASC 2015. These figures provided averages for the nursery, reception and Year 1 intake for consequent years. The second set of data updated the pupil projections to include the admission data for both nursery and reception for September 2016.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based</p>

	<p>The authority's own projected figures forecast that in 2020, pupil numbers will be 53 for Ysgol Llanbedr and 144 for Ysgol Borthyn, a total of 197. This is a rise of 55 pupils (an increase of 38.7%). In 5 years' time, there will be a need for as many faith based Category 5 English medium school places as are being removed by closing Ysgol Llanbedr.</p> <p>Ysgol Borthyn, with its capacity of 142, will be unable to accept all these pupils, nor will the proposed new school in Llanfair / Pentrecelyn, which is proposed as a category 2, bilingual, school and not a category 5 school.</p>	<p>on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 full time places, which would result in surplus places in Category 5 English medium faith schools would ranging from 22 to 64.</p> <p>Pupil forecasts are also compared against live birth data for the area (included within the consultation document) which demonstrates that the live birth rate has been static within the area for a number of years suggesting that the overall quantum of pupils within the area will not increase substantially.</p> <p>As of January 2016 there are 3 applications for the Reception intake for Ysgol Llanbedr and 9 for Ysgol Borthyn. There are currently 4 pupils in the Nursery at Ysgol Llanbedr and 15 at Ysgol Borthyn. It is the view of the authority that although there will be an overall increase in pupil numbers at Ysgol Llanbedr, surplus places will remain at both schools. Current and future pupils can be accommodated within existing class structures at Ysgol Borthyn. Ysgol Borthyn has an established senior leadership and middle management team and has made good progress since the most recent inspection in 2014. The school has been removed from Estyn monitoring and has improved in both the improvement and support categories (Categorisation of Schools in Wales January 2016) since 2015.</p> <p>At the outset of the Ruthin review the authority undertook a feasibility study of all school sites. This study demonstrated that should demand necessitate there is scope for a small extension at Ysgol Borthyn.</p>
<p><b>D3</b></p>	<p>The code states 'local authorities must ensure that they plan thoroughly and engage fully with relevant partners, including the appropriate religious bodies for schools serving their area which have a designated religious character'. In the Diocesan response to the consultant document we asked for very specific responses to the consultation document which have not been forthcoming from the authority.</p>	<p>The authority has provided a full response to the document that was submitted by the Diocese of St Asaph during the formal consultation period. The response was set out in Appendix F of the Formal Consultation Report p.62-113. The formal consultation report can be found <a href="#">here</a>.</p> <p>As the document was submitted in response to the formal consultation it has been treated as such and has formed part of the Formal Consultation Report. The Formal Consultation Report was published in accordance with the requirements set out in the Code. There is no requirement in the Code for the authority to respond separately to responses submitted as a response to the formal consultation.</p>
<p><b>D4</b></p>	<p>The code states: 'arrangements for accessing the alternative provision should encourage sustainable transport, and they should address the possible effect of any transport difficulties on pupils engagement with and attendance at school'. Likely walking or cycling routes for safety and accessibility should be assessed prior to bringing forward proposals.</p>	<p>The walking routes on the approach to Ysgol Borthyn are not deemed as hazardous routes. The walking routes have footpaths that are well lit, have dropped kerb crossings and residential property on both sides. There is a school crossing patrol in place both in the morning and afternoon to assist parents and pupils. There is also a zebra crossing near to the school which would assist those who may utilise a nearby public car park within 200m of the school entrance.</p>

It is clear that the increased transport costs of £26,000 are significant. There is no assessment in the documentation of any likely walking or cycling routes for any current pupils at Ysgol Llanbedr should they transfer to Ysgol Borthyn. This information is missing and therefore does not allow parents to make an informed decision.

Should the current proposal be implemented there may be scope for a council facility (youth centre) opposite the school to be developed to increase the parking availability. This would be subject to negotiation with the appropriate department and subject to the transition of pupils should the proposal be implemented.

The Learner Travel {Wales} Measure states that for primary school pupils a walking distance of up to 2 miles is deemed reasonable (unless the route is hazardous in which case school transport would be provided in line with DCC home to school transport policy). 16 pupils who currently attend Ysgol Llanbedr have home locations closer to Ysgol Borthyn, 13 of these pupil live within 2 miles of Ysgol Borthyn. It could be deemed reasonable that these pupils could utilise the available walking routes within the town of Ruthin should these pupils transfer to Ysgol Borthyn. These pupils would also have a reduced journey time to and from school.

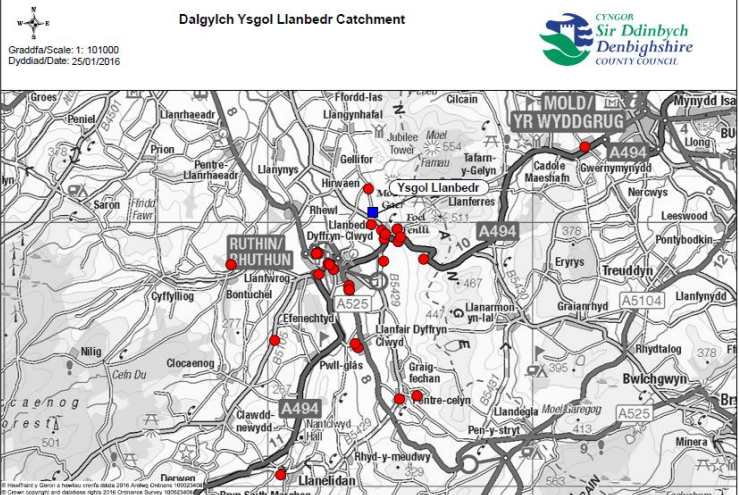
In comparison there is no pedestrian footpath from the village of Llanbedr to the approach to the school.

The table below displays information relating to the home locations of all pupils (full and part time) currently attending Ysgol Llanbedr). It is the view of the authority that Ysgol Borthyn, and other potential alternative provision in the area, is within reasonable proximity should Ysgol Llanbedr close;

School	No. of Pupils	Within 2 miles of Borthyn
Borthyn	16	13
Llanbedr	14	2
Llanfair	6	0
<b>Total</b>	<b>36</b>	<b>15</b>

The map below displays the current catchment of these pupils;

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		 <p>The map, titled 'Dalgylch Ysgol Llanbedr Catchment', shows the geographical area around Ruthin and Borthyn. It includes labels for various schools and locations such as Ysgol Llanbedr, Ysgol Borthyn, Ysgol Llanfair, and Ysgol Pentrecelyn. Major roads like the A494 and A525 are also marked. The map is provided by CYNGOR Sir Ddinbych Denbighshire County Council.</p>
<p><b>D5</b></p>	<p>The code states: 'Local authorities must ensure that there are sufficient schools providing primary and secondary education in their area'. By analysing data and projected figures provided by Denbighshire in their own consultation report dated June 2015, it is clear that, by closing Ysgol Llanbedr, faith-based English medium provision in the Ruthin area drops from 196 places to 142 (a fall of 28%).</p> <p>The authority's own projected figures forecast that in 2020, pupil numbers will be 53 for Ysgol Llanbedr and 144 for Ysgol Borthyn, a total of 197. This is a rise of 55 pupils (an increase of 38.7%). In 5 years' time, there will be a need for as many faith based Category 5 English medium school places as are being removed by closing Ysgol Llanbedr.</p> <p>Ysgol Borthyn, with its capacity of 142, will be unable to accept all these pupils, nor will the proposed new school in Llanfair / Pentrecelyn, which is proposed as a category 2, bilingual, school and not a category 5 school.</p>	<p>Within the formal consultation document the authority contained two sets of pupil projection data, the first set of data contained only actual pupil numbers as of the January PLASC 2015. These figures provided averages for the nursery, reception and Year 1 intake for consequent years. The second set of data updated the pupil projections to include the admission data for both nursery and reception for September 2016.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 full time places, which would result in surplus places in Category 5 English medium faith schools ranging from 22 to 64.</p> <p>Pupil forecasts are also compared against live birth data for the area (included within the consultation document) which demonstrates that the live birth rate has been static within the area for a number of years suggesting that the overall quantum of pupils within the area will not increase substantially.</p> <p>As of January 2016 there are 3 applications for the Reception intake for Ysgol Llanbedr and 9 for Ysgol Borthyn. There are currently 4 pupils in the Nursery at Ysgol Llanbedr and 15 at Ysgol Borthyn. It is the view of the authority that although there will be an overall increase in pupil numbers at Ysgol Llanbedr, surplus places will remain at both schools. Current and future pupils can be accommodated within existing class structures.</p> <p>At the outset of the Ruthin review the authority undertook a feasibility study of all school sites. This study demonstrated that should demand necessitate there is scope for a small extension at Ysgol Borthyn.</p>

		<p>22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.</p> <p>If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).</p>
<b>D6</b>	<p>The code states 'local authorities must ensure that they plan thoroughly and engage fully with relevant partners, including the appropriate religious bodies for schools serving their area which have a designated religious character'. In the Diocesan response to the consultant document we asked for very specific responses to the consultation document which have not been forthcoming from the authority.</p>	<p>The authority has provided a full response to the document that was submitted by the Diocese of St Asaph during the formal consultation period. The response was set out in Appendix F of the Formal Consultation Report p.62-113 which can be found <a href="#">here</a>.</p> <p>As the document was submitted in response to the formal consultation it has been treated as such and has formed part of the Formal Consultation Report. The Formal Consultation Report was published in accordance with the requirements set out in the Code. There is no requirement in the Code for the authority to respond separately to responses submitted as a response to the formal consultation.</p>
<b>D7</b>	<p>The code states: 'arrangements for accessing the alternative provision should encourage sustainable transport, and they should address the possible effect of any transport difficulties on pupils engagement with and attendance at school'. Likely walking or cycling routes for safety and accessibility should be assessed prior to bringing forward proposals.</p> <p>It is clear that the increased transport costs of £26,000 are significant. There is no assessment in the documentation of any likely walking or cycling routes for any current pupils at Ysgol Llanbedr should they transfer to Ysgol Borthyn. This information is missing and therefore does not allow parents to make an informed decision.</p>	<p>The walking routes on the approach to Ysgol Borthyn are not deemed as hazardous routes. The walking routes have footpaths that are well lit, have dropped kerb crossings and residential property on both sides. There is a school crossing patrol in place both in the morning and afternoon to assist parents and pupils. There is also a zebra crossing near to the school which would assist those who may utilise a nearby public car park within 200m of the school entrance.</p> <p>Should the current proposal be implemented there may be scope for a council facility (youth centre) opposite the school to be developed to increase the parking availability. This would be subject to negotiation with the appropriate department and subject to the transition of pupils should the proposal be implemented.</p> <p>The Learner Travel {Wales} Measure states that for primary school pupils a walking distance of up to 2 miles is deemed reasonable (unless the route is hazardous in which case school transport would be provided in line with DCC home to school transport policy). 16 pupils who currently attend Ysgol Llanbedr have home locations closer to Ysgol Borthyn, 13 of these pupil live within 2 miles of Ysgol Borthyn. It could be deemed reasonable that these pupils could utilise the available walking routes within the town of Ruthin should pupils transfer to Ysgol Borthyn. These pupils would also have a reduced journey time to and from</p>

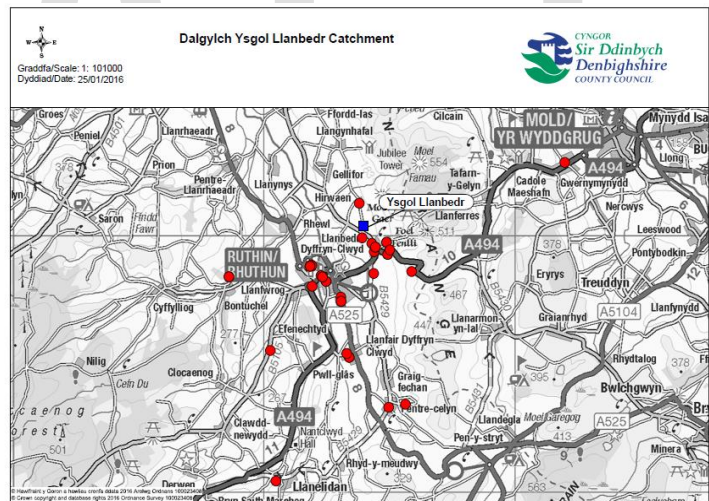
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<b>Total</b>	<b>36</b>	<b>15</b>

The map below displays the current catchment of these pupils;



**D8**

The code states: 'it is important that funding for education is cost effective'. Whilst some variation in the per capita funding provided to schools is to be expected, inefficient patterns of school organisation can result in uneven and unfair funding patterns where some schools receive a disproportionate share of funding at the expense of pupils attending other schools in the area. Proposals should not exacerbate such funding differences. Rather, where ever possible, they should contribute towards establishing a more

The proposal would lead to a fairer and more equitable distribution of per pupil funding between mainstream schools in the Ruthin area and would lead to overall better management of the school estate.

Should the projected pupil numbers be realised the cost per pupil would be as follows;

PLASC DATA ONLY PROJECTIONS	Est. Cost Per Pupil	No. of Pupils
2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,293	32

	<p>equitable pattern of school funding. Surplus places have often cited as a reason for proposing closure but nowhere in the cabinet papers does the authority acknowledge that not only have many parents said that once the threat of closure is lifted they will send their children to the school but also that the Governors have given the MET team names and addresses of future pupils so that this information could be validated.</p> <p>Whilst the surplus cost per pupil has been acknowledged at Ysgol Llanbedr, the projected future pupil numbers bring the cost per pupil in line with the Ruthin average, and take the cost per pupil below the Ruthin average if the proposed change of status and federation is implemented. The authority failed to consult on these projected savings and have not made any assessment of how the variation in funding would impact all pupils in the Ruthin area should Ysgol Llanbedr remain open; they have only commented on the position should it close. This is misleading and does not allow public scrutiny or cabinet members to be fully informed.</p>	<table border="1"> <tr> <td>2017/2018</td> <td>£5,251</td> <td>39</td> </tr> <tr> <td>2018/2019</td> <td>£4,819</td> <td>44</td> </tr> <tr> <td>2019/2020</td> <td>£4,787</td> <td>51</td> </tr> <tr> <td>2020/2021</td> <td>£4,594</td> <td>53</td> </tr> </table> <p><i>*Please note these years relate to financial years not academic years ** These are estimated budget shares only. These do no account for other elements which may impact on the cost per pupil share such as ALN.</i></p>	2017/2018	£5,251	39	2018/2019	£4,819	44	2019/2020	£4,787	51	2020/2021	£4,594	53							
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<b>D9</b>	<p>The code states 'where there are more than 10% surplus places in an area, local authorities should review their provision and should make proposals for school reorganisation if this will improve the effectiveness and efficiency of provision'. This is especially important where individual schools have 'significant' levels of surplus places. A significant level of surplus provision is defined as 25% or more of a school's capacity (as defined in Circular</p>	<p>The authority has acknowledged there will be an increase in pupil numbers, however Ysgol Llanbedr will remain a small school. It is unlikely that the school will reduce surplus places to within 10% in the near future. There are currently 32 full time pupils at Ysgol Llanbedr and 4 part time pupils. Assuming all part time pupils transition to Reception in 2016 there would be 36 full time pupils at Ysgol Llanbedr. The capacity of Ysgol Llanbedr will increase to 77 full time places as of September 2016 which would result in a surplus capacity of 41 places equating to 53.2% of the overall capacity.</p>																			

	<p>21/2011) and at least 30 unfilled places. It has been shown by the authority's own projections that there will NOT be surplus in category 5 English medium faith schools in the Ruthin area by 2020.</p>	<p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 which would result in surplus places in Category 5 English medium faith schools would range from 22 to 64.</p> <p>22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.</p> <p>If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).</p> <p>As part of the Ruthin area review the authority has sought a balance of provision. At the outset of the Ruthin Review in February 2013 24.8% of primary places in the Ruthin area were Church in Wales provision. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.</p>
<b>D10</b>	<p>Relevant bodies should also take into account the following factors in relation to finance:</p> <p>Additional transport costs incurred as a result of proposals; proposers should take into account the requirement on local authorities to provide free transport provision under the Learner Travel (Wales) Measure, and should seek the advice of Regional Transport Consortia in relation to the impact of the proposal might have on associated transport costs and their affordability.</p> <p>The cost of transport increase from £0 to £26,000 should the proposal to close Ysgol Llanbedr be implemented.</p> <p>Whether, without the proposals, the schools affected would face budget deficits; Ysgol Llanbedr is one of only 12 schools in Denbighshire predicted NOT to go into deficit budget in the next three years.</p>	<p>The authority has provided the estimated additional transport costs that would be borne of the proposal should all pupils transfer to Ysgol Borthyn (estimated at £26k). The costs are for pupils who would be eligible under the DCC School Transport Policy and not for all pupils currently attending Ysgol Llanbedr. These costs were also taking into account for the expected overall savings. It is the view of the authority that although there is potential for these costs to be incurred, the overall savings less the transport costs outweigh this concern.</p> <p>The Regional Transport Consortia is a statutory consultee and they were issued with an electronic version of the consultation document.</p>
<b>D11</b>	<p>The code states that relevant bodies should take into account what impact</p>	<p>It is the view of the authority that should the current proposal be implemented the effect on pupils currently</p>



	<p>proposals will have on educational attainment among the children from economically deprived backgrounds; any equality issues, including those identified through equality impact assessments; No assessment in the consultation document of;</p> <p>(a) Any impact on pupils currently attending the receiving school;</p> <p>(b) The equality issues that arise by reducing Category 5 English medium faith based places by 28% NB: the places at a category 2 school are included but these are misleading as English medium places in a Category 2 are a different offer and should be treated as such. The categorisation of schools from 1-5 is to give parents a range of opportunities. Category 5 and Category 2 are not the same offer and it is misleading to treat them as such which the authority seeks to do.</p>	<p>attending Ysgol Borthyn would be minimal. It is the view of the authority that there is appropriate support within the school environment at Ysgol Borthyn should the current proposal be implemented.</p> <p>As part of the Ruthin area review the authority has sought a balance of provision. At the outset of the Ruthin Review in February 2013 24.8% of primary places in the Ruthin area were Church in Wales provision. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.</p> <p>As defined by the Welsh Government in 'Defining Schools According to Welsh medium Provision' (information document no: 023/2007 October 2007) a category 2 school is a dual stream primary school. Two types of provision exist side by side in these schools. Parents/pupils either opt for a mainly Welsh medium or mainly English medium which is usually delivered as in categories 1 and 5 respectively. Pupil outcomes in the English stream normal expectations are as for Category 5.</p>
<p><b>D12</b></p>	<p>The code further states when considering whether a closure is appropriate, special attention should be given to the following: whether the establishment of multi-site schools might be considered as a way of retaining buildings, or the reasons for not pursuing this option, whether alternatives to closure, such as clustering, collaboration or federation with other schools, might be considered (taking account of the scope for use of ICT links between school sites) or the reasons for not pursuing these as an alternative.</p> <p>The authority has created a dichotomy between two potential consultation processes by progressing the consultation to close whilst at the same time asking at a late stage for information and proposals on the possibility and benefits of federation. This in our view means that the authority has failed to consult on a range of options, in breach of case law established in McCann, R (On the application of) v Bridgend County Borough Council {2014} EWHC 4335 which states that an authority must consult fully on a range of options. In this case it will be argued that the authority has pursued a consultation for closure and failed to consult fully on the option regarding federation, which has meant that the full range of statutory consultees</p>	<p>Section 13 of the formal consultation document provided information on the alternative options for Ysgol Llanbedr DC, which included;</p> <ul style="list-style-type: none"> <li>• Maintaining the status quo;</li> <li>• Federation or Amalgamation;</li> <li>• Change of legal status to VA;</li> <li>• Change of legal status and Federation;</li> <li>• Extend Ysgol Llanbedr;</li> <li>• Close Ysgol Llanbedr.</li> </ul> <p>Alongside these options were the advantages and disadvantages of all the options in the context of the Ruthin area review. The reasons for not pursuing alternative options were included within this analysis and compared against the key drivers for the Ruthin review.</p> <p>There is no requirement under the School Organisation Code for local authorities to consult on more than one option in relation to school organisation proposals. Should a proposer wish to consult on more than one option they can do so, however it is not a requirement for alternative options to form part of the consultation process should all other options be outlined with the reasons for not pursuing.</p> <p>Under the Code, should a new option emerge which the proposer decides to pursue, they can consult afresh on this option. In this case the information provided was not sufficient to persuade decision makers that Federation and a change of legal status would achieve the same outcomes as the proposal to close.</p>

	<p>could not comment fully on all the options or remedies available to the Council in this exceptional case.</p> <p>The authority has consulted generally on options with a preferred option to close, but the lead member clearly stated in his letter to Bishop Gregory in May 2015 that Cabinet could not consider the proposal due to the lack of information and a named willing partner. The authority asked for a willing partner to be named so that it could consider the matter. A willing federation partner was named at the request of the authority, there is a duty on the authority to fully and properly consult publicly on this option.</p> <p>To try to add this to the consultation to close is in clear breach of the statutory position and case law. For example, while Estyn have commented generally on the proposal to close, they have not had the opportunity to comment on the merits of Ysgol Llanbedr and Ysgol Trefnant specifically entering into a federated arrangement and how this would impact on standards.</p> <p>Consideration of the merits of the alternative option is a matter for Members and their professional advisers, and if further information is required regarding federation and change of status then the authority should consult on this as an alternative option. Cabinet members must be satisfied that in order to make a decision they have all the information on federation before them and that there could be no further information that could be provided by way of a full statutory consultation in order to be confident of making a decision that was not ultra vires.</p>	<p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p> <p>In the case of McCann, R v Bridgend County Borough Council it was found that the LA had not "(i) set out in the consultation document the alternatives considered and the reasons why they had been discounted". The authority is of the view that the alternatives considered and the reasons (disadvantages) for not pursuing these options were contained within the formal consultation document. Furthermore the council revisited Federation and a change of legal status in light of the option submitted by the Diocese of St Asaph and the Governing Body as part of the formal consultation process.</p>
<p><b>D13</b></p>	<p>The Diocese of St Asaph responded fully to the consultation on closure in the required timeframe and in that documents we asked for very specific responses before this matter was brought back to Cabinet. We are disappointed to note that, despite a written and oral request to the Head of Customers, these specific responses have not been forthcoming from officers, and we have not been able to receive appropriate reassurances to our deep concerns about the consultation</p>	<p>The authority has provided a full response to the document that was submitted by the Diocese of St Asaph during the formal consultation period. The response was set out in Appendix F of the Formal Consultation Report p.62-113 which can be found <a href="#">here</a>.</p> <p>As the document was submitted in response to the formal consultation it has been treated as such and has formed part of the Formal Consultation Report. The Formal Consultation Report was published in accordance with the requirements set out in the Code. There is no requirement</p>

	<p>documentation, or the fact that this consultation was not undertaken when matters were at a formative stage which is a fundamental principle of the code.</p> <p>The code states “within 13 weeks of the end of the period allowed for responses (and in any event prior to the publication of the proposals), the proposer must publish a consultation report: summarising each of the issues raised by consultees; responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons”. We submit that many of the issues raised by the Diocese have not yet been responded to, despite a number of requests.</p>	<p>in the Code for the authority to respond separately to responses submitted to the formal consultation.</p>
<b>D14</b>	<p>Members are under a statutory duty to consider the benefits or otherwise of the alternative or, if they require further information, there is effectively a need for a new proposal on the merits of federation and there has to be a new consultation process. This would have been a new consultation and not in addition to an existing one.</p>	<p>During the formal consultation period both the Diocese of St Asaph and the Governing Body of Ysgol Llanbedr submitted an option to Federate and change the legal status of the school. This information, and information provided prior to the Cabinet meeting in October was considered by Cabinet members.</p> <p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p>
<b>D15</b>	<p>The financial and staffing costings and savings of federation and changing status were in the Diocesan response on page 48-52 these were not shown in the Cabinet papers.</p>	<p>Page 48 of the document submitted by the Diocese of St Asaph in response to the formal consultation document stated the following;</p> <p><i>“NOTE: These figures are confidential” {p.48}</i></p> <p>For this reason the table containing financial information was not provided in public papers due to the above request by the Diocese, likely as the costs included related to individual pay scales. Decision makers were provided with hardcopies of all responses received therefore the information was available to the decision makers {Cabinet members}. Other financial information provided by the Diocese in their submission was contained within section 5.3 of Appendix F and commentary related featured</p>

		throughout the response as provided in the report.
<b>D16</b>	<p>The code further states that “the consultation report might also make recommendations- for example to the local authority's executive or the governing body- about how to proceed i.e. to publish the proposals and retain the status quo or to significantly recast the proposals and re-consult”. There is an option to consider modifications and amendments to the proposals but in the cabinet meeting this was not given as an option to members. The head of legal services maintained that Cabinet members could only consider the option before them i.e. the closure of Ysgol Llanbedr.</p>	<p>Decision makers are aware that at any stage the existing proposal can be modified or re-cast, in this case for Federation and a change of legal status. Decision makers did not find the case for the current proposal to be modified or re-cast.</p> <p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p>
<b>D17</b>	<p>We also note that the Leader was not prepared to allow the Chairs of the Governing Bodies of the two schools to address Cabinet on the 27<sup>th</sup> of October 2015, so this opportunity to consult and hear fully about the options was denied. The proper way to ensure full transparent and clear consultation would be for a new consultation to be opened to allow this proper dialogue and process to be undertaken.</p>	<p>The Leader of the Council invited the Diocese of St Asaph to speak at the Cabinet meeting on the 27<sup>th</sup> of October. In a response to the Leader of the Council it was stated that a representative from the Diocese would not speak at the Cabinet meeting, however the Chairs of Governors (representing Ysgol Llanbedr and Ysgol Trefnant) would be willing to speak regarding the option to Federate.</p> <p>As the cabinet members had received information from the Chairs of Governors at both schools prior to the meeting the invitation to speak was not extended as this information had been made available.</p>
<b>D18</b>	<p>The code states that: Factors to be taken into account in approving/determining school organisation proposals when approving or determining proposals, relevant bodies:</p> <ul style="list-style-type: none"> <li>• Must consider whether there are any other related proposals; <i>It is our view {Diocese of St Asaph} that there is (a) The federation proposal and change of status (b) the new build at Glasdir less than 0.25 of a mile from Ysgol Borthyn, the receiving school.</i></li> <li>• Must ensure that the statutory consultation has been conducted in accordance with this Code; <i>For the reasons stated above, we consider this has not been done.</i></li> <li>• Must ensure that the proposal has been published in accordance with</li> </ul>	<p>The replacement school buildings and facilities at the Glasdir site will relocate existing provision, Ysgol Pen Barras (Welsh medium) and Rhos Street School (English medium). The new school buildings do not introduce a new provision into the town of Ruthin but intend to provide new facilities for Ysgol Pen Barras and Rhos Street School and are not subject of a formal school organisation proposal.</p> <p>It is the view of the authority that this will not impact adversely on Ysgol Borthyn. Cabinet have stated that Ysgol Borthyn should be retained (Cabinet- June 2013) to continue to provide an English medium faith based provision (Church in Wales) for the town of Ruthin and surrounding areas. This ensures that parental preference with a mix of linguistic, faith and secular provision remains within the town.</p> <p>The authority is satisfied that all consultative and publishing statutory requirements as set out in the School Organisation Code have been met.</p>

	<p>this Code and the notice contains all the required information; For the reasons stated above, we consider this has not been done.</p> <ul style="list-style-type: none"> <li>• Must consider the consultation document and consultation report; <i>Appendix One of the cabinet papers 27.10.15 was supposed to assess the Trefnant/Llanbedr proposal specifically and not federation generally see section 3.1. It is claimed in this section of the document that the authority cannot assess the case properly without a named partner yet this is supposed to be the specific document prepare for cabinet to assess the case for Trefnant/Llanbedr as named schools- how can cabinet make an informed decision when the documents that have been submitted are wrong and misleading?</i></li> </ul> <p>Must consider the objections and the objection report and any responses to the notice supporting the proposals; <i>We urge members to reconsider the position at this stage for the reasons stated.</i></p>	<p>Following the end of the formal consultation period (which the formal consultation report refers to) further information was provided by the Governing Bodies and confirmation of a named willing Federation partner was submitted to the authority on October 15 2015. The authority were aware that the Diocese and both Governing Bodies {Ysgol Llanbedr and Ysgol Trefnant} were in dialogue regarding potential Federation during the summer term 2015. The council has yet to receive a formal proposal for consideration in accordance with the Federation Regulations for the federation of Ysgol Llanbedr and Ysgol Trefnant.</p>
<b>D19</b>	<p>The code further states that: <i>Statutory procedures are usually necessary to make significant changes to schools. The procedures are designed to enable changes to be made where they are considered necessary, but in a way which protects the interests of learners and allows interested parties the opportunity to have their say in the process.</i></p> <p>Consultation should be open and transparent. The Diocese asked for specific responses to the consultation document which the authority has not supplied. Cabinet members and officers met in a pre-cabinet meeting on 3<sup>rd</sup> of February and 13<sup>th</sup> of October 2015 to discuss the consultation. This meeting happens before the public cabinet meetings and we have asked for minutes of these meetings but these have not been supplied. The general public and non-cabinet members of council were not allowed to attend this meeting.</p>	<p>The authority has provided a full response to the document that was submitted by the Diocese of St Asaph during the formal consultation period. The response was set out in Appendix F of the Formal Consultation Report p.62-113 which can be found <a href="#">here</a>.</p> <p>As the document was submitted in response to the formal consultation it has been treated as such and has formed part of the Formal Consultation Report. The Formal Consultation Report was published in accordance with the requirements set out in the Code. There is no requirement in the Code for the authority to respond separately to responses submitted as part of the formal consultation.</p>
<b>D20</b>	<p>Case law has established that the consultation process should:</p> <ul style="list-style-type: none"> <li>• Be undertaken when proposals are</li> </ul>	<p>Following the decision by the Minister in January 2015 the authority reconsidered the proposal in the context of the current situation against the key drivers of the review. A</p>

	<p>still at a formative stage;</p> <ul style="list-style-type: none"> <li>• Include sufficient reasons and information for particular proposals to enable intelligent considerations and response;</li> <li>• Provide adequate time for consideration and response;</li> <li>• Ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken.</li> </ul> <p>As this is a second unprecedented consultation on the same proposal as the first 2013-2014 consultation, we would argue that it cannot be considered that this consultation has been undertaken when the proposal is at a formative stage.</p> <p>As the First Minister said in the Senedd on the 23<sup>rd</sup> of June 2015 when asked directly about Ysgol Llanbedr; <i>"It's clearly important that local authorities are able to take communities with them. If they consult on proposals that are no different from the original proposals- and I don't know what the new proposals look like; I need to state that- then clearly it will be more difficult for them to explain why they have done that. I've not seen the second consultation document. What is clear, though, is there needs to be a solution that is to the satisfaction of the local community"</i>.</p>	<p>number of issues remained including surplus places both at Ysgol Llanbedr and the wider area. The authority considered other options such as retaining the status quo, federation, change of legal status and closure. These options alongside the advantages and disadvantages were provided in the consultation document.</p> <p>It is the view of the authority that it has met the consultative and publication requirements as set out in the Code.</p>
<p><b>D21</b></p>	<p>The School Organisation Code clearly states that "in the case of all proposals, the consultation document must contain the following information: Description and Benefits</p> <ul style="list-style-type: none"> <li>• A detailed description of the status quo setting out its strengths and weaknesses and the reasons why change is considered necessary ;</li> <li>• A detailed description of the proposal or proposals (a proposer may consult on more than one potential proposal);</li> </ul> <p>Therefore it was perfectly possible for the authority to consult on more than one option, but instead they have not fully considered the educational benefits or impact of the alternative options that could have been fully and transparently consulted on.</p> <p>The Governing Bodies of both Ysgol</p>	<p>Section 13 of the formal consultation document provided information on the alternative options for Ysgol Llanbedr DC, which included;</p> <ul style="list-style-type: none"> <li>• Maintaining the status quo;</li> <li>• Federation or Amalgamation;</li> <li>• Change of legal status to VA;</li> <li>• Change of legal status and Federation;</li> <li>• Extend Ysgol Llanbedr;</li> <li>• Close Ysgol Llanbedr.</li> </ul> <p>Alongside these options were the advantages and disadvantages of all the options in the context of the Ruthin area review. The reasons for not pursuing alternative options were included within this analysis.</p> <p>There is no requirement under the School Organisation Code for local authorities to consult on more than one option in relation to school organisation proposals. Should a proposer wish to consult on more than one option they can do so, however it is not a requirement for alternative options to form part of the consultation process should all other options be outlined with the reasons for not pursuing.</p>

	<p>Trefnant and Ysgol Llanbedr considered the federation options carefully and firmly believe that this is an option that is in the best interests of the learners in both schools. The Diocese of St Asaph supports this position.</p> <p>They are so convinced of the educational benefits and merits that, despite the decision of Cabinet in October 2015, they have determined to proceed with a collaborative arrangement with effect from the 1<sup>st</sup> of January 2016.</p>	
<p><b>D22</b></p>	<p>In his report 'Future delivery of Education Services in Wales' Robert Hill considered that there is a strong case on both educational and cost effectiveness grounds for schools in Wales to be part of a formal federation or hard cluster with shared governance that is led by an executive leader.</p> <p>In his report of his review of the future delivery of education services in Wales, Robert Hill further states that federations and other types of formal school partnership provide a strong platform for both increased autonomy and raising school attainment. Federations set up to improve the capacity of small schools were successful in broadening and enriching the curriculum and care, guidance and support for pupils. These also resulted in better achievement for groups of pupils such as the vulnerable and those with special educational needs and/or disabilities. It goes on to say that one of the advantages of federation is that schools that federate remain in their communities and keep their individual identity.</p> <p>We respectfully ask Cabinet members to halt the consultation to close, and to undertake a full consultation on the merits and benefits of a federation to determine the future of Ysgol Llanbedr.</p>	<p>The cabinet papers and formal consultation report outlined the authority's position regarding Federation in the context of Ysgol Llanbedr and the Ruthin review.</p> <p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p>

## Appendix Three

### Response from the Governing Body of Ysgol Llanbedr

Ref.	Issue Raised	LA Response
<b>GB1</b>	<p>The Council only went out to consultation on closure of Ysgol Llanbedr, whilst in full knowledge that federation was an alternative option for the school. The correct consultation should have been on the possible options for the school, which were maintain the status quo/ federate with another Church in Wales school, particularly Ysgol Trefnant/ closure. If the consultation was on all these options then all statutory consultees would have been able to submit a response dealing with all the options rather than just on closure. This means the statutory consultees have been misled and have only been able to respond and comment on the proposed closure of Ysgol Llanbedr. Had the consultees been informed that federation was an alternative to closure then the responses from the likes of Estyn could have been something different to supporting closure.</p>	<p>The consultation was conducted regarding the following proposal "Proposal to close Ysgol Llanbedr DC as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference". The formal consultation makes it explicit that the proposal is in relation to closure.</p> <p>Federation and a change of legal status was an option developed by the Governing Body and the Diocese of St Asaph and this was submitted as a response to the formal consultation. The Governing Body and Diocese requested that the option to Federate and change status was considered by Cabinet before any decision was progressed regarding the current proposal {closure}.</p> <p>Section 13 of the formal consultation document provided information on the alternative options for Ysgol Llanbedr DC, which included;</p> <ul style="list-style-type: none"> <li>• Maintaining the status quo;</li> <li>• Federation or Amalgamation;</li> <li>• Change of legal status to VA;</li> <li>• Change of legal status and Federation;</li> <li>• Extend Ysgol Llanbedr;</li> <li>• Close Ysgol Llanbedr.</li> </ul> <p>Alongside these options were the advantages and disadvantages of all the options in the context of the Ruthin area review. The reasons for not pursuing alternative options were included within this analysis.</p> <p>There is no requirement under the School</p>



		<p>Organisation Code for local authorities to consult on more than one option in relation to school organisation proposals. Should a proposer wish to consult on more than one option they can do so, however it is not a requirement for alternative options to form part of the consultation process should all other options be outlined with the reasons for not pursuing.</p>						
<b>GB2</b>	<p>The Diocese of St Asaph and governors from Ysgol Llanbedr requested that the council consult on federation rather than just closure, however this was rejected. Instead the advice was that we should submit our proposal for federation in our response to the formal consultation. Both parties did this; then once the consultation has closed the council tried to evaluate federation and tried to make the consultation on closure into a consultation on federation or closure. This hardly seems the correct way to explore different options for Ysgol Llanbedr.</p>	<p>Under the Code, should a new option emerge which the proposer decides to pursue, they can consult afresh on this option. In this case the information provided was not sufficient to persuade decision makers that Federation and a change of legal status would achieve the same outcomes as the proposal to close.</p> <p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p>						
<b>GB3</b>	<p>In the Cabinet meeting on the 27<sup>th</sup> of October 2015 the discussion centred on surplus places and the cost per pupil. It was claimed that federation would do nothing to affect surplus places or the cost per pupil at Ysgol Llanbedr, which ignores the councils own projected growth in pupil numbers at the school. The school has been under threat of closure for three years, and has been through one full consultation process which resulted in the education minister rejecting the council's proposal. We are now ending the second consultation process.</p> <p>During these three years, and despite the uncertainty about the school's future, the pupil numbers at Ysgol Llanbedr have continued to grow. With this background it is clear that the pupil numbers will grow at the very least at the expected rate should the school stay open. This</p>	<p>The option to Federate Ysgol Llanbedr with another Church in Wales school would not address surplus places both at Ysgol Llanbedr and in the context of the wider Ruthin area review. There are significant levels of surplus places within the Ruthin area as a whole. The authority has acknowledged an increase in pupil numbers at Ysgol Llanbedr, there are currently 32 full time pupils and 4 part time {nursery} pupils. Should all 4 part time pupils transfer to Ysgol Llanbedr there will be 36 full time pupils in September 2016. 41 surplus places would remain at the school, equating to 53.2% of the overall capacity.</p> <p>Should the projected pupil numbers be realised the cost per pupil would be as follows;</p> <table border="1" data-bbox="839 1955 1513 2024"> <thead> <tr> <th data-bbox="839 1955 1134 2024">PLASC DATA ONLY PROJECTIONS</th> <th data-bbox="1134 1955 1366 2024">Est. Cost Per Pupil</th> <th data-bbox="1366 1955 1513 2024">No. of Pupils</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	PLASC DATA ONLY PROJECTIONS	Est. Cost Per Pupil	No. of Pupils			
PLASC DATA ONLY PROJECTIONS	Est. Cost Per Pupil	No. of Pupils						

will reduce the surplus places at Ysgol Llanbedr, which is contrary to the council officers statements made in the cabinet meeting on 27<sup>th</sup> October. Alongside growing pupil numbers the cost per pupil will fall, to the extent that within 2 years the cost per pupil will be equivalent to other primary schools in the Ruthin area.

Again the council officers stated that federation would not affect the cost per pupil, which was misleading for cabinet members.

2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,293	32
2017/2018	£5,251	39
2018/2019	£4,819	44
2019/2020	£4,787	51
2020/2021	£4,594	53

*\*Please note these years relate to financial years not academic years \*\* These are estimated budget shares only. These do no account for other elements which may impact on the cost per pupil share such as ALN.*

ADMISSION DATA UPDATED	Est. Cost Per Pupil	No. of Pupils
2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,481	32
2017/2018	£5,532	36
2018/2019	£5,195	40
2019/2020	£4,751	45
2020/2021	£4,644	45

*\*Please note these years relate to financial years not academic years \*\*These are estimated budget shares only. These do no account for other elements which may impact on the cost per pupil share such as ALN.*

The current cost per pupil in Denbighshire (2015/2016) is £3,819. The cost per pupil at Ysgol Llanbedr will remain above the local average as it is a small school. Small schools inevitably have a higher cost per pupil than medium or larger sized schools. Should the proposal be implemented pupil led funding would 'follow' pupils to their new provision which would assist any receiving school.

Should Ysgol Llanbedr federate with another Church in Wales school the cost per pupil would remain unaffected. Federated schools maintain their individual budgets. Schools that are Federated within Denbighshire receive an additional £3k per school within the delegated budget (total £6k for a two school Federation arrangement).

Local authorities have a statutory responsibility to review educational provision within their area to ensure that resource is directed in an effective and efficient way, with a focus on resources being directed toward the benefit of pupils and teaching and learning.

**GB4** In the cabinet meeting on 27<sup>th</sup> October the officers commented that even once Ysgol Llanbedr gets to capacity (77) pupils it will still be a small school and unsustainable. In this context

Area reviews take place to ensure that proposals put forward are in the context of the area they are situated in. The authority has sought to ensure that a balance of provision remains within the area as

	<p>a small school is one with less than 100. If Ysgol Llanbedr is unsustainable because it is small, what does that mean for the other primary schools in Denbighshire with a capacity less than 100? Of the 46 primary schools in Denbighshire nearly 40% of them, at least 18, have a capacity less than 100, are all of these schools also unsustainable? We suggest not. The comment in the cabinet meeting was probably meant to influence the cabinet members to pursue closure, however it was misleading.</p>	<p>per the Council's Modernising Education Policy Framework.</p> <p>Within this context, and given the proximity of Llanbedr to the alternative provision and sufficiency of places in the area at alternative faith based primary schools providing an English medium education it is the view of the authority that the school is unsustainable given these factors and the wider context of the area.</p>
<p><b>GB5</b></p>	<p>In the Cabinet meeting on 27<sup>th</sup> October the chief executive made a summing up speech in which he made the following comments:</p> <ul style="list-style-type: none"> <li>▪ 'There is too much church in England (corrected by members and officers to Wales) provision in Ruthin'</li> <li>▪ 'At the start of the Ruthin review there were 11 schools, which is too many. We need fewer schools which are more modern. This is the right way forward'</li> <li>▪ 'Federation can work in some situations but it is not appropriate for this scenario'</li> <li>▪ 'Particularly concerned about this proposal (to federate Ysgol Llanbedr and Ysgol Trefnant, which was an alternative to closure proposed by the Governing Body of both schools and the Diocese of St Asaph) due to the distance between the schools'</li> <li>▪ 'Federation could destabilise Ysgol Trefnant which is a strong school'.</li> </ul> <p>This summing up speech took place just before the leader moved to the vote on the proposal to close Ysgol Llanbedr. By making these comments the chief executive effectively instructed the cabinet members how to vote, surely this is unacceptable.</p> <p>The Governing Body made a formal complaint about the chief executive's comments on 4<sup>th</sup> of November through the Council's complaint process. Suggesting that 'the chief executive publicly retract his summation speech and request that the discussion is taken back to Cabinet at the earliest opportunity to allow an unbiased discussion and vote to take place'. There has still been no response from the council on this complaint, despite the council complaint procedure stating that complaints will be dealt with within 10 working days. The Governing Body have prompted the council for a response on a number of occasions. {Timeline provided}</p> <p>We find it unacceptable that there has not been</p>	<p>The Council's Constitution permits the Chief Executive of the Council to attend all Cabinet meetings and speak on issues affecting his statutory responsibilities. Prior to the Cabinet vote Dr Mehmet exercised his right and addressed the Cabinet in order to provide his professional view regarding the proposal.</p> <p>In any event, in accordance with the Council's Constitution, Cabinet Members must maintain objectivity in decision making. Members must make decisions on merit. Whilst they must have regard to the professional advice of officers and may properly take account of the views of others, it is their responsibility to decide what view to take and how to vote on the issue in question.</p> <p>The authority is of the view that the discussion was very open and honest. All of the submissions made resulted in a thorough and robust debate on the proposal and Cabinet Members were fully informed of the issues before making their decision.</p>

	<p>a response to this complaint by 6<sup>th</sup> of December 2015. Surely the leader and chief executive should lead by example, as if they can't deal with complaints appropriately and improve the council how are any of the council members or officers expected to do so?</p>	
<p><b>GB6</b></p>	<p>In the formal consultation document the council provide pupil number predictions for the next 5 years. When the predictions for Ysgol Llanbedr and Ysgol Borthyn are combined it is clear that there is not enough capacity in Ysgol Borthyn for all the pupils. These are the only two primary schools in the Ruthin area providing Church in Wales, Category 5 English medium education. There is not capacity in Ysgol Borthyn now for all the pupils and the predictions show that in 2020 there will be a requirement for 55 more places than are available at Ysgol Borthyn. The governing body of Ysgol Llanbedr propose that predicted pupil numbers for the school are on the low side, due to the school being under the threat of closure for three years. We anticipate that we would be at capacity of 77 before 2020 once the school is confirmed as staying open. Therefore the capacity at Ysgol Borthyn could not meet this demand. There is a clear and sustained demand for Category 5 Church in Wales school places within the Ruthin area.</p>	<p>The authority has acknowledged there will be an increase in pupil numbers, however Ysgol Llanbedr will remain a small school. It is unlikely that the school will reduce surplus places to within 10% in the near future. There are currently 32 full time pupils at Ysgol Llanbedr and 4 part time pupils. Assuming all part time pupils transition to Reception in 2016 there would be 36 full time pupils at Ysgol Llanbedr. The capacity of Ysgol Llanbedr will increase to 77 full time places as of September 2016 which would result in a surplus capacity of 41 places equating to 53.2% of the overall capacity.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 which would result in surplus places in Category 5 English medium faith schools would range from 22 to 64.</p> <p>22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.</p> <p>If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).</p> <p>As part of the Ruthin area review the authority has sought a balance of provision. At the outset of the Ruthin Review in February 2013 24.8% of primary places in the Ruthin area were Church in Wales provision. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.</p> <p>Ysgol Borthyn currently has 116 full time pupils on roll (September 2015) equating to 26 surplus places. Within the capacity assessment for Ysgol Borthyn there is scope for a further 23 full time pupils to be accommodated at the school. Historically, Ysgol</p>

Borthyn has accommodated more than the current capacity of 142 although pupil numbers have declined and remained static for a number of years. The table below displays the class structures at both Ysgol Llanbedr and Ysgol Borthyn as of September 2015;

	N	R	Y1	Y2	Y3	Y4	Y5	Y6
Llanbedr	4	10	7	3	7	2	3	0
Borthyn	14	18	22	19	11	13	16	17
<b>Totals</b>	18	28	29	22	18	15	19	17

The table below displays the previous 3 years of actual pupils numbers (as of the January PLASC each year) at both Ysgol Llanbedr and Ysgol Borthyn;

School	2015	2014	2013	2012
Ysgol Llanbedr	22	21	21	37
Ysgol Borthyn	120	114	111	113
FT Total	142	135	132	150

The authority would work closely in a transition period with the receiving school, Ysgol Borthyn, should the current proposal be implemented. The accommodation at Ysgol Borthyn lends itself well to flexibility and the authority would work closely with the receiving school to assist in required changes to the teaching environment. This would also be the case should pupils transfer to any other alternative provision in the area. The authority would also work with any school who received pupils should the current proposal be implemented in a transition period.

Responses received as part of the formal consultation did not indicate that all pupils are likely to transfer to Ysgol Borthyn should the current proposal be implemented. Of those who responded as parents or prospective parents, 5 stated they would attend Ysgol Borthyn with 12 stating they would attend alternative provision (30 respondents skipped this question).

Due to surplus capacity within the area and the current numbers of pupil on roll at Ysgol Llanbedr it is unlikely that the proposal would result in significant reorganisation of the learning

		<p>environment of any alternative provision. The authority recognises that some additional support may be required and this would be provided by the appropriate departments and services led by Education.</p> <p>The authority recognises the importance of faith education within the wider education portfolio and has recently worked in partnership with the Diocese for a change in status of a community school to a VC. Additionally the authority has invested in VC schools such as Ysgol Dyffryn Ial and to provide a new area school building in the Llanfair DC area.</p>
<p><b>GB7</b></p>	<p>To announce the publication of the statutory notice the council wrote to the parents of the school advising them of the notice period. The cabinet meeting was on the 27<sup>th</sup> of October, with statutory notice running from 10<sup>th</sup> of November to 7<sup>th</sup> of December. The letter was dated 9<sup>th</sup> October 2015. How can this letter be written before the Cabinet meeting, and the decision to move to statutory notice, took place? Does this demonstrate yet again the predetermination of the council in its plan to close Ysgol Llanbedr?</p> <p>It is becoming widely acknowledged that the cabinet does not reject any proposals brought to the cabinet meeting, therefore how are interested parties other than cabinet members and officers to be represented and have their views heard? The consultation responses are gone through however they seem to make no difference to the decisions made.</p>	<p>The authority is satisfied that the publication requirements of the Code have been met. The issuing of a publication notice by letter is an administrative approach that the authority have chosen to undertake. There is no requirement within the Code to issue publication letters.</p> <p>The date included for reference was an administrative error and whilst unfortunate does not form part of the statutory notice. Additionally there is no requirement for the authority to formally notify parents by letter and this was an administrative approach the authority decided to take.</p> <p>The Cabinet consider the responses made and in recent consultations have amended or strengthened proposals based on the evidence submitted from the public during consultations.</p>
<p><b>GB8</b></p>	<p>On the 9<sup>th</sup> of November 2015 CSSIW visited Munchkins@YsgolLlanbedr and were very positive about the provision. This is an independent assessment of the wrap around and day care provided at Ysgol Llanbedr. This childcare facility would not exist if Ysgol Llanbedr close. Some comments from the report are below;</p> <ul style="list-style-type: none"> <li>• 'The group has an excellent relationship with the school, sharing resources and children are able to go with the reception children to the local library. More involvement with the school and the children joining together with school has further increased positive benefits and learning opportunities and experiences. The children have excellent transition arrangements into school and there is increased involvement with the local church and the vicar who visits the school weekly to read a story and make up</li> </ul>	<p>The authority note the findings of the inspection by CSSIW.</p> <p>The authority notes concerns of objectors that 'Munchkins@Llanbedr' may not be viable without the school remaining open. However the authority will work with the provider regarding future provision should the current proposal be implemented.</p> <p>Other schools in the area provide wrap-around-care, including the proposed receiving school Ysgol Borthyn. Ysgol Borthyn offers 'Borthyn Bunnies' playgroup for pupils aged two and a half years and over for morning and afternoon sessions. Other schools within the area also offer similar wrap-around-care provision, breakfast clubs and after school clubs. There is also a significant surplus of childcare places within the Ruthin area (English medium). Although the authority recognises the importance to parents of wrap-around-care it is important to note that this is not a statutory</p>

	<p>songs which the children thoroughly enjoy.'</p> <ul style="list-style-type: none"> <li>• 'Children enjoy good outdoor play facilities in a rural location including a sensory garden. This enables them to have fresh air, develop physical skills and learn the names of fragrant plants.'</li> <li>• 'The children have access to good ICT resources including an interactive white board helping them to develop effective skills.'</li> <li>• 'Floor books show activities and the learning that has taken place.'</li> <li>• 'There are Welsh speaking staff members in the group in order for children to be spoken to in their chosen language.'</li> <li>• 'We (CSSIW) found that children have a good quality of life in this setting. This is because they are valued as individuals and their needs are met in a caring way.'</li> <li>• 'Children experience warmth, attachment and belonging. This is because children were nurtured and well cared for in the setting.'</li> </ul>	<p>provision.</p> <p>Additionally, the Denbighshire County Council childcare sufficiency report (2014) noted that there were a total of 354 childcare places available in the Ruthin area. There were 258 children of 0-3 years of age in 2014 with 50% of childcare vacancies empty for this age range not taking into account 118 spaces within full day care private provision. The full day care provision in Ruthin has a daily capacity of 57% of the numbers it could cater for suggesting that there is more than adequate childcare options and places available within the area. Other full day child care is available in the Ruthin area. The report can be found <a href="#">here</a>.</p>
<b>GB9</b>	<p>During the formal consultation the council stressed the importance of capturing the children's views and voice. It is extremely disappointing when reviewing the consultation report that the children's voice is not well represented. The responses from the children's consultation are included but there is no further reference to it or action from it.</p>	<p>The Council produced a report for decision makers and consultees summarising the views of children and young people that were collected during the consultation period. Additionally the authority produced a formal consultation report specifically for children and young people. This was shared in draft with the school for comment prior to the publication of the report. The school was satisfied that the report represented the views of the pupils. The views contained within the report were considered alongside all other views as part of the formal consultation process.</p>
<b>GB10</b>	<p>The governing bodies of Ysgol Llanbedr and Ysgol Trefnant have agreed that they would like to federate. This information was communicated to the council on 11<sup>th</sup> October 2015 in advance of the pre cabinet meeting, along with the benefits both schools expect to achieve through federation. During the cabinet meeting on 27<sup>th</sup> of October the officers stated that many of the benefits listed by both schools could be achieved by collaboration. The proposal both schools submitted before pre-cabinet included starting to work in collaboration from January 2016 to prepare the way for federation.</p>	<p>The authority notes the position of both Governing Bodies.</p> <p>Officers stated that many of the benefits outlined could be achieved by collaboration and that many schools already worked in partnership to achieve these aims. Furthermore these benefits could also be achieved by the proposal to close, this was detailed within the Cabinet papers (section 3, Appendix 1) which can be found <a href="#">here</a>.</p> <p>The Chair of Governors of Ysgol Llanbedr has made the Head of Education aware that a shared</p>

<p>Despite the cabinet decision to move to statutory notice to close Ysgol Llanbedr, both Ysgol and Ysgol Trefnant are preparing to start collective governance collaboration from January 2016 as proposed. Both schools are expected to see benefits quickly and a review process is in place.</p>	<p>governance arrangement will be effective at both Ysgol Llanbedr and Ysgol Trefnant as of January 2016. Further information regarding the structure of leadership, governance and responsibilities has been requested by the authority.</p>
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## Appendix Four

### Objections received via letter and email

Ref.	%	Issue Raised	LA Response
1a	7.3	<p><b>Parental Choice:</b> You have failed to take into account parental choice; Parents do not want a town school; did not want a large town school in Ruthin; as parents we deserve choice; we drive past Ysgol Borthyn, Rhos Street School and Ysgol Pen Barras daily because we choose to send our children to an English medium, rural faith based school; local parents should have a choice of where their children are educated; it is extremely important to offer parental choice in education; parental choice for small rural schools.</p>	<p>The proposed alternative school, Ysgol Borthyn, offers a faith based (Church in Wales) English medium primary provision. Other alternative schools in the area provide a mix of faith based, town and village based provision. The possible alternative schools were contained within the consultation document.</p> <p>The authority acknowledges that there are a number of factors that determine where parents send their child/children. However, local authorities are unable to maintain all schools in the current financial climate especially where there are significant surplus places within the system. Should the proposal be implemented there will still be a balance of provision within the Ruthin area including rural, town, faith and language provision maintaining parental preference.</p>
1b	31.9	<p><b>Pupil numbers:</b> Even under threat of closure the numbers have grown at the school; school is continuing to grow and will continue to grow; to close it (Ysgol Llanbedr) on the basis of a temporary excess of surplus places, which is substantially due to the mismanagement of the senior staff by the LEA, seems a very short sighted decision; Projected future pupil numbers are more than enough to resolve the current surplus places statistic; numbers are rising; consultation based on a 'freak year' where many pupils left due to a bad leadership</p>	<p>The authority has acknowledged there will be an increase in pupil numbers, however Ysgol Llanbedr will remain a small school. It is unlikely that the school will reduce surplus places to within 10% in the near future. There are currently 32 full time pupils at Ysgol Llanbedr and 4 part time pupils. Assuming all part time pupils transition to Reception in 2016 there would be 36 full time pupils at Ysgol Llanbedr. The capacity of Ysgol Llanbedr will increase to 77 full time places as of September 2016 which would result in a surplus capacity of 41 places equating to 53.2% of the overall capacity.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools</p>



situation; projected numbers for Llanbedr and Borthyn mean that Borthyn could not hold all pupils; Ysgol Llanbedr has historically and consistently had high numbers of pupils. There is good reason for the current surplus and it is not a long term issue; growing school despite being under threat of closure for 3 years; closure of Ysgol Llanbedr will not make a significant impact on the surplus places in the Ruthin area; numbers at the school recovering (leadership crisis) and the prospects for further improvement remain strong; Mis-management of the situation at the school 2 years ago. Had it not been for the council's decision the school would still be pretty much at capacity; surplus places- under the understanding that they (LA) have actually already achieved this goal already in other changes that have been proposed/made to the schooling in and around Ruthin; the data used has been from an isolated year and is an anomaly.

would be 219 which would result in surplus places in Category 5 English medium faith schools would range from 22 to 64.

22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.

If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).

As part of the Ruthin area review the authority has sought a balance of provision. At the outset of the Ruthin Review in February 2013 24.8% of primary places in the Ruthin area were Church in Wales provision. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.

Ysgol Borthyn currently has 116 full time pupils on roll (September 2015) equating to 26 surplus places. Within the capacity assessment for Ysgol Borthyn there is scope for a further 23 full time pupils to be accommodated at the school by the potential use of resource area. Historically, Ysgol Borthyn has accommodated more than the current capacity of 142 although pupil numbers have declined and remained static for a number of years. The table below displays the class structures at both Ysgol Llanbedr and Ysgol Borthyn as of September 2015;

	N	R	Y1	Y2	Y3	Y4	Y5	Y6
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The table below displays the previous 3 years of actual pupils numbers (as of the January PLASC each year) at both Ysgol Llanbedr and Ysgol Borthyn;

School	2015	2014	2013	2012
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<b>FT Total</b>	<b>142</b>	<b>135</b>	<b>132</b>	<b>150</b>

Responses received as part of the formal consultation did not indicate that all pupils are likely to transfer to Ysgol

			<p>Borthyn should the current proposal be implemented. Of those who responded as parents or prospective parents, 5 stated they would attend Ysgol Borthyn with 12 stating they would attend alternative provision (30 respondents skipped this question).</p> <p>The authority is recognises the importance of faith education within the wider education portfolio and has recently worked in partnership with the Diocese for a change in status of a community school to a VC. Additionally the authority has invested in VC schools such as Ysgol Dyffryn lal and to provide a new area school building in the Llanfair DC area.</p> <p>The table below displays the full time pupils numbers at Ysgol Llanbedr for the past 4 year period;</p> <table border="1" data-bbox="746 745 1522 851"> <thead> <tr> <th></th> <th>2012</th> <th>2013</th> <th>2014</th> <th>2015</th> </tr> </thead> <tbody> <tr> <td><b>Llanbedr</b></td> <td>37</td> <td>21</td> <td>21</td> <td>22</td> </tr> <tr> <td><b>Surplus %</b></td> <td>31.5%</td> <td>61.1%</td> <td>61.1%</td> <td>59.2%</td> </tr> </tbody> </table> <p>The Welsh Government has set a 10% surplus places target for each local authority in Wales. The authority has been making progress toward the target however it has yet not reached the recommended 10%. Local authorities who bid for funding must demonstrate that they are taking appropriate action to ensure a greater efficiency and effectiveness of the school estate which includes rationalisation of school places where there are significant surplus places.</p>		2012	2013	2014	2015	<b>Llanbedr</b>	37	21	21	22	<b>Surplus %</b>	31.5%	61.1%	61.1%	59.2%
	2012	2013	2014	2015														
<b>Llanbedr</b>	37	21	21	22														
<b>Surplus %</b>	31.5%	61.1%	61.1%	59.2%														
1c	32.7	<p><b>Federation/Alternative Options:</b> Failed to see federation as a viable alternative option; the Federation between Ysgol Llanbedr and Ysgol Trefnant should be considered as it would provide less cost for the council; not allowing the school to form an alliance with Ysgol Trefnant is scandalous; the proposal to Federate with Trefnant should be fully investigated; Diocese proposal to Federate and make it a voluntary aided school will save costs to the Council and should be considered; Disappointed that Cabinet voted to consult on closure rather than giving due consideration to the alternative options; Federation disregarded, not given due consideration and DCC only chose to consult on one option of closure; Ysgol Llanbedr is sustainable in its own right, however there is also a sensible proposal on the table to secure the future of the school y federating with Ysgol Trefnant and to change status to voluntary aided. Supported by</p>	<p>The consultation was conducted regarding the following proposal "Proposal to close Ysgol Llanbedr DC as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference". The formal consultation makes it explicit that the proposal is in relation to closure. Federation and a change of legal status was an option developed by the Governing Body and the Diocese of St Asaph and this was submitted as a response to the formal consultation. The Governing Body and Diocese requested that the option to Federate and change status was considered by Cabinet before any decision was progressed regarding the current proposal {closure}.</p> <p>Section 13 of the formal consultation document provided information on the alternative options for Ysgol Llanbedr DC, which included;</p> <ul style="list-style-type: none"> <li>• Maintaining the status quo;</li> <li>• Federation or Amalgamation;</li> <li>• Change of legal status to VA;</li> <li>• Change of legal status and Federation;</li> <li>• Extend Ysgol Llanbedr;</li> <li>• Close Ysgol Llanbedr.</li> </ul> <p>Alongside these options were the advantages and disadvantages of all the options in the context of the</p>															

		<p>the governing bodies from both schools, the Diocese of St Asaph and the wider community; The governing body and diocese had put in a large amount of work into proposing a federating partner for Ysgol Llanbedr and DCC made no attempt to look at this further; federation achieves the same benefits without the upheaval of moving school; The council has been presented with a realistic alternative option of federation and change of status. I submit that the council has not given any, or any sufficient, attention to the option proposed; The Hill report clearly states that federations and other types of formal school partnerships provide a strong platform for both increased autonomy and increased school attainment. Federations set up to improve the capacity of small schools are successful in broadening and enriching curriculum and care, guidance and support for pupils; Council priorities are to reduce surplus places, achieving a fairer distribution of school funding and providing greater efficiency of the school estate and the option of federation and changing status would achieve this; Dismayed that proposed alternative proposals for change to VA status and Federation as opposed to closure. I am dismayed that these have not been fully explored by Cabinet.</p>	<p>Ruthin area review. The reasons for not pursuing alternative options were included within this analysis.</p> <p>There is no requirement under the School Organisation Code for local authorities to consult on more than one option in relation to school organisation proposals. Should a proposer wish to consult on more than one option they can do so, however it is not a requirement for alternative options to form part of the consultation process should all other options be outlined with the reasons for not pursuing. The framework for the federation of schools in Wales is outside of the school organisation code and should be developed via the Federation of Maintained Schools (Wales) Regulations 2014. This sets out consultation requirements which differ from the Code.</p> <p>Under the Code, should a new option emerge which the proposer decides to pursue, they can consult afresh on this option. In this case the information provided was not sufficient to persuade decision makers that Federation and a change of legal status would achieve the same outcomes as the proposal to close.</p> <p>It was highlighted by the Head of Legal and Democratic Services that the requirements of the School Organisation Code and the consideration that Cabinet should give to the consultation responses. It was stated to Cabinet that the proposal under consideration was the proposal to close the school and that the issue of federation had been raised as part of the consultation on that proposal. Consequently Cabinet members should decide, after taking into account all that they had heard and read in response to the consultation, whether or not to publish a statutory notice in respect of the proposal to close the school. It was further stated that should Cabinet be persuaded that the option of Federation put forward during the consultation period should be pursued then they would need to vote against the recommendation and commence a new consultation exercise in respect of a proposal to federate.</p>
1d	4.9	<p><b>Fire/Road Safety:</b> You have failed to ensure that the proposed receiving school (Ysgol Borthyn) has had the relevant fire safety and road safety checks; Llanbedr has a secure car park with adequate space and safe access to school, Borthyn does not, it does not even have a public car park nearby; safe car park to pick up and drop off- the recommended alternative Ysgol Borthyn has no safe parking; ever increasing congestion in Ruthin town at peak times of the day and especially at school drop off and pick up- we regularly see hazardous parking;</p>	<p>The walking routes on the approach to Ysgol Borthyn are not deemed as hazardous routes. The walking routes have footpaths that are well lit, have dropped kerb crossings and residential property on both sides. There is a school crossing patrol in place both in the morning and afternoon to assist parents and pupils. There is also a zebra crossing near to the school which would assist those who may utilise a nearby public car park within 200m of the school entrance.</p> <p>Should the current proposal be implemented there may be scope for a council facility (youth centre) opposite the school to be developed to increase the parking availability. This would be subject to negotiation with the appropriate department and subject to the transition of pupils should the proposal be implemented.</p>

parking pressures and pedestrian safety issues at Ysgol Borthyn are already a cause for concern for many parents. These are likely to deteriorate should Ysgol Llanbedr close and pupils transferred

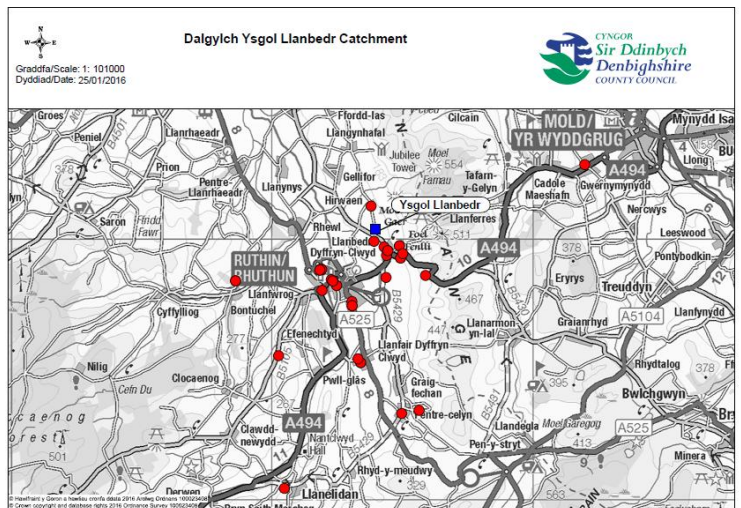
The Learner Travel {Wales} Measure states that for primary school pupils a walking distance of up to 2 miles is deemed reasonable (unless the route is hazardous in which case school transport would be provided in line with DCC home to school transport policy). 16 pupils who currently attend Ysgol Llanbedr have home locations closer to Ysgol Borthyn, 13 of these pupil live within 2 miles of Ysgol Borthyn. It could be deemed reasonable that these pupils could utilise the available walking routes within the town of Ruthin should pupils transfer to Ysgol Borthyn. These pupils would also have a reduced journey time to and from school.

In comparison there is no pedestrian footpath from the village of Llanbedr to the approach to the school.

The table below displays information relating to the home locations of all pupils (full and part time) currently attending Ysgol Llanbedr). It is the view of the authority that Ysgol Borthyn, and other potential alternative provision in the area, is within reasonable proximity should Ysgol Llanbedr close.

School	No. of Pupils	2 miles of Ysgol Borthyn
Borthyn	16	13
Llanbedr	14	2
Llanfair	6	0
<b>Total</b>	<b>36</b>	<b>15</b>

The map below displays the current catchment of these pupils;



School transport vehicles do not alight and disembark from the front entrance to the school which fronts Denbigh Road. This takes place to the rear access of the school via the adjoining housing estate. Currently only one pupil receives home to school transport.

DRAFT

			<p>The FRA (Fire Risk Assessment) works were not completed by the end of the financial year 2014/2015. These works have been factored into the capital programme for the coming financial year. The works will be completed during the summer period 2016.</p>
1e	27.1	<p><b>Childcare/Wrap around care:</b>          You have failed to ensure parents can access adequate, affordable and flexible childcare- parents who have children aged 2 at Llanbedr will be left without full time childcare; has wrap around care from 8am-6pm no other school offers this; Munchkins@Llanbedr would not operate with the school closed- wish to highlight the importance of this service to people within our community; It has been suggested during the consultation the Munchkins could operate at the village hall. This is just not possible. The reasons why Munchkins could not operate are many most of them because the hall is a public place open and you cannot run a playgroup or childcare facility with open access to the public; The school also provides an all day care service in the form of 'Munchkins' which numbers are growing year on year and provides parents with a cheaper form of childcare; wrap around care from 8am to 6pm; child care options at the receiving school and the surrounding Ruthin area are not comparable to the wrap-around-care provided at Ysgol Llanbedr. Independent providers involve higher costs and transporting children from different locations; absence of formal letter of notice of closure to Munchkins@Llanbedr despite the review body being aware of the connected status of Munchkins to the school. Munchkins could not continue on the site without the school remaining open. Is a 'one site stop' for parents. Introduces children to the school. Wrap around care 8-6pm. Essential to working parents. Munchkins employs 2 full time personnel, with four other local qualified people on their books. Work experience given to several students. Holiday club- children attending from 11 different Denbighshire schools. Would have financial impact for those working in Munchkins and those families who rely on the wrap around care and</p>	<p>Other schools in the area provide wrap-around-care, including the proposed receiving school Ysgol Borthyn. Ysgol Borthyn offers 'Borthyn Bunnies' playgroup for pupils aged two and a half years and over for morning and afternoon sessions. Other schools within the area also offer similar wrap-around-care provision, breakfast clubs and after school clubs. There is also a significant surplus of childcare places within the Ruthin area (English medium).</p> <p>The Denbighshire County Council childcare sufficiency report (2014) noted that there were a total of 354 childcare places available in the Ruthin area. There were 258 children of 0-3 years of age in 2014 with 50% of childcare vacancies empty for this age range not taking into account 118 spaces within full day care private provision. The full day care provision in Ruthin has a daily capacity of 57% of the numbers it could cater for suggesting that there is more than adequate childcare options and places available within the area. Other full day child care is available in the Ruthin area. The report can be found <a href="#">here</a>. Although the authority recognises the importance to parents of wrap-around-care it is important to note that this is not a statutory provision.</p>

		holiday club.	
1f	12.3	<p><b>Impact on Parents/Pupils/Staff:</b>  To keep putting staff, parents and pupils through this is wrong; unnecessary levels of stress being applied to such young people not to mention a group of dedicated staff; do not put this school and its pupils through anymore upheaval; to upset and worry children at such a vulnerable time in their lives is just disgusting; unsettling for the children and staff at the school and has a knock on effect into the community; the impact of the proposed closure on the well-being of the current pupils of Ysgol Llanbedr will be enormous; main concern for the well-being of my child- other pupils in the school have had their well-being adversely affected as the consultation with them clearly showed they did not want their school to close, why consult them if no notice is going to be taken of their views?; I wonder if you have considered the well-being of parents and staff. I found the first attempt at closure of Ysgol Llanbedr to be very stressful and caused a great deal of worrying; The dragged out procedure to close the school has already caused enough damage through uncertainty and it seems like you are dragging both current pupils, parents and teachers through unnecessary stress which cannot be good for the education of the pupils attending the school; The council owe the children a duty of care and by anting to close the school for flawed reasons, are not caring for them in any way shape or form; Inadequate consideration on the impact of a second consultation on school closure on the psychological health and well-being of the pupils at Ysgol Llanbedr; The children would find it too disruptive to move to another school in the area as other schools do not provide similar facilities or education; extremely difficult</p>	<p><b>Staff</b></p> <p>The authority recognises the uncertainty that school reorganisation proposal can bring. Should the proposal be implemented all staff would be offered 1-2-1 meetings with a HR officer to discuss options such as redeployment, their well-being and to offer support and advice appropriate to the needs of the individual members of staff. All members of staff have been offered support by HR and a member of the HR team has visited the school during the formal consultation period.</p> <p><b>Pupils</b></p> <p>The authority has made appropriate arrangements to ensure that the best interests of learners are ensured during this process. This has included producing a children and young people's consultation document- to which numerous pupils have supplied a response. The authority, in conjunction with the Governing Body of Ysgol Llanbedr, facilitated a consultation session for the pupils of Ysgol Llanbedr which allowed them to put forward their views regarding the proposal.</p> <p>The Council produced a report for decision makers and consultees summarising the views of children and young people that were collected during the consultation period. Additionally the authority produced a formal consultation report specifically for children and young people. This was shared in draft with the school for comment prior to the publication of the report for comment. The school were satisfied that the report represented the views of the pupils. The views contained within the report were considered alongside all other views contained within the report.</p> <p>Prior to the commencement of the consultation in June 2015 the authority contacted the school regarding arrangements for pupils during the consultation period. It was stated that should staff at the school or parents/carers become aware of any issues resulting in pupils requiring additional support this could be provided by contacting the relevant support officers within the school improvement team. Neither the school nor individual families have approached the authority with any concern to date. Should the proposal be formally published this support would continue.</p>
1g	39.3	<p><b>Current Provision at Ysgol Llanbedr:</b>  My child has come on leaps and bounds in confidence, speech and understanding; evident that this school is providing excellent education; wonderful example of a truly beautiful</p>	<p>The authority notes the views relating to current provision at Ysgol Llanbedr. It is the view of the authority, and the view of Estyn, that should the current proposal be implemented pupils would have access to at least an equivalent standard of educational provision should the current proposal be implemented.</p>

church school in our Welsh countryside; teaching is interactive and focused; pupils reaching full potential; standard of education offered to the local children is fantastic; dedicated school of teachers; wonderful school, happy environment as a result how well the children learn and develop; Ysgol Llanbedr offers incredible space to run and play; children who currently attend there are happy and thriving; Llanbedr school has an excellent educational record and excellent facilities and environment; Ysgol Llanbedr is well resourced, has room for expansion and an all-weather pitch; only school in the area with space to expand; Ysgol Llanbedr is an English medium, faith based, rural school with educational standards that consistently outperform the county and national levels; the school has parking, an all-weather pitch which are all facilities other schools can't offer; there is a very close community within the school- all parents and pupils know each other unlike many of the large town schools; not only do they achieve good academic results with a well-managed budget but they produce confident and happy children with great support from parents and community; Ysgol Llanbedr provides a good education to the children of Llanbedr and wider area as seen from the schools results; It's a great school in a lovely location, the children are well educated and the school's result are good; School is a successful, thriving community, knitting together the local population and providing an education and standard of pastoral care of which parents are justifiably extremely proud; These children are given the very best education in a very safe, very happy and extremely positive environment with amazing staff who care for the well-being of the children and who make their learning fun; Ysgol Llanbedr is unique in the area. It offers faith based education through the medium of English in a rural small school which has excellent facilities; good buildings, good and safe access to the site, good car parking, an environment conducive to learning and well-being, grounds

The tables below displays the outcomes at the end of the Foundation Phase and Key Stage 2 in all schools identified in the consultation document, this includes the outcomes for the 2014/2015 academic year;

Foundation Phase- Outcome 5 and above						
	2010	2011	2012	2013	2014	2015
Llanbedr	85.7%	87.5%	100%	83.3%	100%	100%
Borthyn	82.4%	77.3%	58.8%	53.8%	100%	70%
Rhos Street	88.9%	90%	95.2%	100%	100%	100%
Gellifor	100%	94.7%	100%	100%	93.3%	75%
Bro Famau	100%	90%	81.8%	90.9%	80%	100%
Rhewl	100%	100%	66.7%	83.3%	85.7%	70%
Llanfair DC	94.1%	86.7%	100%	100%	92.3%	100%
<b>D'shire Av.</b>	<b>82.4%</b>	<b>79.8%</b>	<b>86.4%</b>	<b>84.9%</b>	<b>86.1%</b>	<b>86.4%</b>
<b>Wales Av.</b>	<b>81.6%</b>	<b>82.7%</b>	<b>80.5%</b>	<b>83%</b>	<b>85.2%</b>	<b>86.8%</b>

Key Stage 2 Level 4+						
	2010	2011	2012	2013	2014	2015
Llanbedr	84.6%	100%	85.7%	100%	n/a	n/a*
Borthyn	58.8%	78.6%	92.3%	93.3%	80%	83.3%
Rhos Street	93.5%	93.3%	96.6%	92.6%	100%	100%
Gellifor	92.9%	92.3%	100%	91.7%	100%	100%
Bro Famau	91.7%	100%	94.4%	95.8%	100%	100%
Rhewl	100%	100%	100%	100%	75%	90.9%
Llanfair DC	88.9%	91.7%	100%	94.1%	93.3%	100%
<b>D'shire Av.</b>	<b>78.1%</b>	<b>82.3%</b>	<b>83.5%</b>	<b>86%</b>	<b>86.6%</b>	<b>87.9%</b>
<b>Wales Av.</b>	<b>77%</b>	<b>80%</b>	<b>82.6%</b>	<b>84.3%</b>	<b>86.1%</b>	<b>87.7%</b>

\*Data has been omitted as it is potentially disclosive

During the formal consultation period the outcomes for the 2014/2015 academic year were not available. The 2015 outcomes are displayed in the table above. The tables below provide contextualised data for both Ysgol Llanbedr and Ysgol Borthyn for the 2015 academic year;

Contextualised Data Foundation Phase Outcomes 2015				
School	ALN	FSM	EAL	Total in Cohort*
Llanbedr	0	1	0	7

that provide extensive area for the children to experience an abundance of healthy outdoor learning and development; If school closes we will be left with no alternative school that offers rural, faith based education through the medium of English

Borthyn	6	1	2	10
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*\*Total includes pupils in cohort who are not ALN/FSM/EAL*

Although in 2015 the outcomes at Ysgol Borthyn for the Foundation Phase were below the local and national average, 60% of the cohorts were pupils with Additional Learning Needs including 2 pupils who are statemented. A further 20% of the cohort were pupils with English as an additional language (EAL). In summary 80% of the cohort were pupils with ALN or EAL. No pupils at Ysgol Llanbedr had Additional Learning Needs and no pupils were EAL. The Free School Meals % at both schools for the assessed cohorts were similar.

<b>Contextualised Data Key Stage 2 Outcomes 2015</b>				
<b>School</b>	<b>ALN</b>	<b>FSM</b>	<b>EAL</b>	<b>Total in Cohort*</b>
Llanbedr	n/a**	n/a	n/a	n/a
Borthyn	9	2	5	24

*\*Total includes pupils in cohort who are not ALN/FSM/EAL*

*\*\*Data has been omitted as it has potential to be disclosive. Data has been provided to decision makers.*

Ysgol Borthyn saw an improvement in attainment at Key Stage 2 from the last academic year although this was not above the local or national average. There were a total of 24 pupils in the assessed cohort, 9 of these pupils had additional learning needs equating to 37.5% of the overall cohort with a further 5 pupils having English as an additional language (EAL) equating to 20.8% of the overall cohort. Of the total cohort 8.3% were FSM. The cohort in Ysgol Llanbedr was small; the data relating to the cohort is potentially disclosive. The data has been made available to decision makers.

In January each year the categorisation of schools in Wales is published, the table below displays the categorisation for both Ysgol Llanbedr and Ysgol Borthyn. The previous categorisation is displayed for comparative purposes;

<b>School- Jan '16</b>	<b>Standards Group</b>	<b>Improvement Capacity</b>	<b>Support Category</b>
Llanbedr	3	C	Amber
Borthyn	3	B	Yellow
<b>School Jan '15</b>			
Llanbedr	3	B	Yellow
Borthyn	3	C	Amber



1h	31.9	<p><b>Impact on Community:</b>  Llanbedr as a community needs its school; small schools play an incredibly vital role in the small communities they operate in; the staff, pupils and everyone connected with Ysgol Llanbedr enrich the community far beyond the school gates; children need to attend school in their community; if ever a village had future needs for a school then Llanbedr DC would be that village; the school is at the heart of the community and it will skew the demographics of the community; Concerned about the detrimental effect that closing the school will have on our community. New families have recently moved to Llanbedr and many cite the presence of a village school as their reasoning for that choice; The School serves as an important meeting place for people within the village. Parents, family members and carers are able to meet and socialise at the school both formally and informally. The closure of the school would remove this important networking and social activity from the village; Children living in the village would lose sense of belonging to their community; It will be detrimental to the village if we have to move away to access an alternative good school; closing this school would be a great loss to the children, the village and also the wider community; Ysgol Llanbedr may be a small church school but it would be a huge loss to the community; The Llanbedr community will suffer as a result of this proposal. Ysgol Llanbedr brings great benefits to the community offering social interaction with the older people in the community inviting them to regular social events. DCC propose that links will be continued from the receiving school but as the majority of children and families have no link to Llanbedr this is unlikely to happen; It is our local school and takes part in many village events. With the school gone these events will become difficult to sustain; should remain an active part of the community; We feel it is important to have a young active presence such as a primary school within a rural</p>	<p>The authority acknowledges that were school closures are proposed it will inevitably have some impact on the local community. The Code requires local authorities to produce a Community Impact Assessment to measure the impact and how the impact can be minimised or negated.</p> <p>It is recognised by the authority that the school plays an important role in the wider community, should the proposal be implemented there would be scope to extend links with Ysgol Borthyn as the proposed receiving school and the Llanbedr community. The concerns of respondents that the scope for this may be undermined by the fact that the 'majority of children have no link to Llanbedr this is unlikely to happen' is acknowledged by the authority, however due to the proximity of Llanbedr to the town of Ruthin the authority would seek to assist the Governing Body and PTA of Ysgol Borthyn to foster links with the wider Llanbedr community.</p> <p>The authority is aware that the school site is subject to a reverter and has not claimed that the release of the Ysgol Llanbedr DC site and building would result in a capital receipt which would be re-invested into the Modernising Education Programme. The authority does not believe that the content of the policy is misleading. In other instances where school buildings and sites have been subject to a reverter under Charity Commission Law, Denbighshire have worked with third parties, such as the Church in Wales Diocese to seek to retain the use of the building for the community, for example in Bryneglwys following the closure of the site and establishment of Ysgol Dyffryn Ial on a single site. Should the proposal be implemented the Council would facilitate discussions with the local community and the Diocese of St Asaph should they wish to seek to retain all or part of the building and/or site for community use.</p>
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		community; Highly valued facility for community use and its loss would be detrimental to local residents; links with the village will deteriorate should pupils be transferred to Ysgol Borthyn; Loss of the school would have a deep impact on the life of this community; Public opinion- 533 objections to the proposal	
ii	24.5	<p><b>Rural, English medium, Faith Provision:</b></p> <p>I would like to praise the role of faith schools in our community both now and in the past- breadth and the essential values on offer; Faith is important to so many families; Ruthin and the surrounding areas actively benefit from English speaking professionals and business people moving to the area and many of them want an English medium education for their children. The closure of Ysgol Llanbedr may jeopardise this and many of them may choose to stay across the border in Cheshire; one of the only church schools in the area; There will not be enough capacity in English medium church in wales schools in Ruthin if Llanbedr closes; Ysgol Llanbedr is the only English medium, rural, faith school in the Ruthin area- I feel that I am being treated like a second class citizen in my own county for wishing to educate my children in a rural English medium school; however this choice is being taken away; There does not appear to be sufficient capacity in surrounding schools to provide places for Llanbedr pupils which are of similar or a better standard; takes no account of demand for English medium church in wales education in the Ruthin area; Ysgol Llanbedr is well placed to meet demand for non-Welsh medium education in the locality; English medium faith based education provision in the Ruthin area will drop from 196 places to 142, a fall of 28%. DCC own figures forecast that by 2020, pupil numbers will be 53 for Ysgol Llanbedr and 144 for Ysgol Borthyn, a total of 197- clear that there will be a need for as many places (Category 5 English medium) as removed by closing Llanbedr; The new school in Llanfair will not be able to accept pupils given that it will be a Category 2 school and not a</p>	<p>The alternative school, Ysgol Borthyn, provides a faith based education. The authority recognises the importance of faith based provision within the wider education portfolio. Parents who wish for their child/children to attend a faith based English medium provision will be able to continue to do so. At the commencement of the Ruthin review in February 2013 24.8% of the overall capacity for the Ruthin area were faith places. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.</p> <p>The authority acknowledges that there are a number of factors that determine where parents send their child/children. However, local authorities are unable to maintain all schools in the current financial climate especially where there are significant surplus places within the system. Should the proposal be implemented there will still be a mix of provision within the Ruthin area including rural, town, faith and language provision.</p> <p>Ysgol Borthyn is also a Church in Wales primary school, this would provide pupils with continuity in faith based provision should the current proposal be implemented. In their inspection report Estyn commented that "daily acts of collective worship and close links with the local church provide pupils with valuable opportunities to reflect on spiritual and moral issues" and that "links with the local church enrich pupils' spiritual experiences". Furthermore that "the school's partnership with Llanfwrog Church helps pupils to make good progress with their spiritual development. There are weekly visits by the rector to assembly and classes, and pupils perform services in the church on religious festivals. These, plus school visits to places of worship, such as St Asaph Cathedral, support the religious education syllabus well." Should the current proposal be implemented there would be scope for Ysgol Borthyn to extend links with the local church, St Peters, in Llanbedr DC.</p> <p>The Ruthin review has sought to ensure that a broad and balanced provision is maintained within the area to ensure parental choice. The alternative school provides an equivalent language and faith provision, additionally there are other English medium faith based places within the Ruthin area such as Ysgol Llanfair DC (Category 2). Should parents express a preference for a village/rural location there are sufficient places available within the Ruthin area</p>

		<p>Category 5; I go to church and was greatly helped in my belief and outlook on life by going to a faith school. Faith provision in Ysgol Llanbedr is second to none. No suitable alternative in terms of faith provision has been offered</p>	<p>(English medium). Due to the financial constraints placed on local authorities not all schools are sustainable especially in light of other issues such as surplus places within areas. The authority recognises the importance of faith education within the education portfolio and has recently worked in partnership with the Diocese for a change in status of a community school to a VC. Additionally the authority has invested in VC schools such as Ysgol Dyffryn Ial and to provide a new area school building in the Llanfair DC area.</p>
1j	19.6	<p><b>Consultation Process/Proposal:</b> I remain unconvinced of the validity of the entire consultation process thus far; CEO prejudiced the outcome of subsequent vote- the points made were clearly prejudicial; flawed and ill-advised proposal will compromise the education of a generation of school children in and around this area; consultation document was unfairly skewed in favour of the alternative school; You have not listened to the public; It is my belief that DCC has failed to listen to the public on this issue; It would appear there have been no officer meetings or school visits with parents, governors or staff during this process; I have written 3 letters of protest with no detailed response from the Council; The decision has been pre-determined from the start; reasons behind closure are completely unjustified and have not been thought out thoroughly with the relevant consultation; consultation document shows a biased picture towards closure and little attention to the benefits of retaining the school. The consultation (document) includes flawed statements on potential savings an inaccurate criticism of current leadership at Ysgol Llanbedr; The decision to close Ysgol Llanbedr blatantly ignores the volume of objections; from the local community received as part of the consultation; vendetta against church school; The school has been treated unfairly in the consultation with the reasons for closing the school still unclear. I believe council employees have acted unprofessionally in their presentation to the council cabinet members. They have chosen to omit facts about cost savings and they made remarks about</p>	<p>The Council's Constitution permits the Chief Executive of the Council to attend all Cabinet meetings and speak on issues affecting his statutory responsibilities. Prior to the Cabinet vote Dr Mehmet exercised his right and addressed the Cabinet in order to provide his professional view regarding the proposal. In accordance with the Council's Constitution, Cabinet Members must maintain objectivity in decision making. Members must make decisions on merit. Whilst they must have regard to the professional advice of officers and may properly take account of the views of others, it is their responsibility to decide what view to take and how to vote on the issue in question. The authority is of the view that the discussion was very open and honest. All of the submissions made resulted in a thorough and robust debate on the proposal and I believe Cabinet Members were fully informed of the issues before making their decision. The decision of the Cabinet was reached in a democratic manner and in accordance with the Council's Constitution. The authority is satisfied that the publication requirements of the Code have been met. The issuing of a publication notice by letter is an administrative approach that the authority have chosen to undertake. There is no requirement within the Code to issue publication letters. The date included for reference was an administrative error and whilst unfortunate does not form part of the statutory notice. There is no requirement within the code for proposers to hold meetings, this is at the discretion of the proposer. No requests were made during the formal consultation period for meetings with the authority. The authority strongly refutes the suggestion that the proposal is a 'vendetta against church schools'. The authority has invested in Ysgol Dyffryn Ial, changed the designation of Esgob Morgan and worked in partnership for the designation of a new area school as CiW.</p>

		<p>federation that were unsubstantiated and false; flawed from the outset with the outcome being agreed by DCC before consultation and a second agenda of reducing church schools within the county; comments made by the Cabinet Member responsible for Education at DCC and by the Chief Executive of the local authority, suggests a determination to close Ysgol Llanbedr come what may and regardless of viable alternatives; LA wrote to parents at Ysgol Llanbedr to announce the publication of the statutory notice to discontinue Ysgol Llanbedr. This letter was dated 9<sup>th</sup> of October which was some 18 days prior to the date of the decision by the Council. The date of the letter suggests that the LA had pre-determined its position on Ysgol Llanbedr; Process has been pre-determined and flawed from the beginning; No evidence has been presented by DCC to confirm that they have re considered matters since the decision in Cardiff</p>	<p>The authority consulted with the Diocese of St Asaph for 28 days as per the requirement as set out in the Code prior to the decision to proceed to formal consultation.</p> <p>The authority set out the reasons for not pursuing Federation and a change of legal status within the Formal Consultation Report and supporting Cabinet papers.</p>
1k	1.6	<p><b>Community and Welsh Language Impact Assessment:</b> Do not feel a suitable and sufficient Community and Welsh Language Impact Assessments have been carried out as part of the consultation process; inadequate assessment of the potential impact of closure</p>	<p>The authority acknowledges that school closure will inevitably impact upon a community and a community impact assessment was carried out as per the requirement of the Code. It is recognised by the authority that the school plays an important role in the community, should the proposal be implemented there would be scope to extend links with Ysgol Borthyn and the Llanbedr DC community.</p> <p>There is a separate village hall located within Llanbedr which is utilised for events in the village. The school does not have a hall facility however the astro-turf pitch is used by the wider community. The authority would be open to working with the Diocese and local community to retain use of the facility for the local community.</p>
1l	14.7	<p><b>Alternative Provision:</b> Parents would not want to send their children to Ysgol Borthyn; Plan to transfer Llanbedr school children to Borthyn School is not practical, Borthyn is already overflowing and nursery classes are already being held in corridors; Ysgol Borthyn could not hold Llanbedr pupils; Ysgol Borthyn does not have capacity for all children from Ysgol Llanbedr, based on application numbers for the Reception and Nursery classes for 2014-15; Ysgol Borthyn does not have a safe pick up or drop off area; Llanbedr is a rural school, Borthyn</p>	<p>As part of their response to the consultation Estyn concluded that the proposal is likely to at least maintain the current standards of education in the area based on the information and data provided within the consultation document. The authority included a range of data and statistical information within the consultation document relating to outcomes and standards at Ysgol Llanbedr and Ysgol Borthyn. This included contextualised data at both Foundation Phase and Key Stage 2. Data for other schools in the area has also been included within the consultation document. Tables relating to outcomes across the Ruthin area and in individual schools at both the Foundation Phase and Key Stage 2 are provided in 2A.</p> <p>Where cohorts are small, such as at Ysgol Llanbedr,</p>

is not therefore it is not a 'like for like' alternative; when considering that the provision should be the 'same or better' I request clarification on what data has been used to state that Borthyn is 'as good' as Llanbedr- please can you clarify if core data has been analysed to see if Borthyn does have the same educational standards as Llanbedr?; the proposed nearest church school with its current pupil level would struggle with the influx of students from Ysgol Llanbedr; school has facilities that Ysgol Borthyn does not have such as the car park and also the all-weather pitch; Will have a detrimental effect on the children and Ysgol Llanbedr and Ysgol Borthyn. The intake of children will create strain on the teachers at Ysgol Borthyn who are already dedicating time to a significant number of children with additional learning needs; Ysgol Borthyn is not a viable alternative as if this were to happen the children would be moved from a substantive building to a mobile classroom, which was originally one of the reasons for the review; to reduce mobile classroom reliance; The children will be split up from their friends and the receiving school will be oversubscribed with little extra funding- unfair on teachers and existing pupils; Unlike Ysgol Borthyn, the facilities and space available at Ysgol Llanbedr; How can you consider sending children to a town school which does not have many of the facilities/qualities/level of contact with the church/already has a huge parking issue; The alternative options do not offer the level of care, childcare provision, location or community belief the children have in Llanbedr; Both the statistics and environment would dictate that there is no better similar experience available to our children in the area- no other school that currently meets the criteria- rural English faith based with wrap around care.

outcomes should be treated with caution. There have been no available Key Stage 2 outcomes at Ysgol Llanbedr for the last two academic years. Furthermore, Estyn stated that the proposer {DCC} had appropriately considered the impact of the proposal on pupil outcomes, provision and leadership and management. Estyn stated a useful range of information relating to performance outcomes.

Following a follow up visit in March 2015 Ysgol Borthyn has been removed from Estyn monitoring. Ysgol Borthyn has also appointed a permanent head teacher. As of January 2016 the national categorisation of schools in Wales has been revised, the table below displays the current situation at both Ysgol Llanbedr and Ysgol Borthyn (the January 2015 categories are included for comparative purposes);

School- Jan '16	Standards Group	Improvement Capacity	Support Category
Llanbedr	3	C	Amber
Borthyn	3	B	Yellow
School Jan '15			
Llanbedr	3	B	Yellow
Borthyn	3	C	Amber

#### Facilities

The authority has produced evidence relating to condition and suitability surveys at Ysgol Borthyn which indicate the school provides a good learning environment and is at least equivalent to the learning environment at Ysgol Llanbedr.

Estyn also found the learning environment at Ysgol Borthyn to be good following an inspection in 2014 stating "The well-maintained school building provides a clean and pleasant learning environment. There is plenty of space available on the school site for outdoor play and learning. Areas such as the vegetable garden, forest area and the secure play area for children in the Foundation Phase extend opportunities for learning well."

Ysgol Borthyn has a sufficient outdoor hardplay area which is utilised for outdoor activities year round. It is recognised that although this is not an all-weather pitch it would not limit pupils access to outdoor PE provision should the current proposal be implemented.

In relation to the overall condition and suitability of the buildings and facilities, the table below displays the ratings for both Ysgol Llanbedr and Ysgol Borthyn (EC Harris all wales surveys 2010);

School	Overall Suitability	Overall Condition
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			<table border="1"> <tr> <td>Ysgol Llanbedr</td> <td>B</td> <td>B</td> </tr> <tr> <td>Ysgol Borthyn</td> <td>A</td> <td>B</td> </tr> </table>	Ysgol Llanbedr	B	B	Ysgol Borthyn	A	B
Ysgol Llanbedr	B	B							
Ysgol Borthyn	A	B							
1m	12.3	<p><b>Village Schools/Small Schools:</b>  Very sad that the council are determined to eradicate the caring and supportive environment that these village schools offer; why such a huge school is being proposed when all the available evidence points to the advantages for children educated in smaller community based primary schools; too many small schools are closing; how can 2 or 3 form entry primary schools be to the benefit of children; class sizes are small compared to other schools- receives a personal level of attention that wouldn't be available in a larger school; it is essential to preserve a strong network of good rural schools to reinforce our rural communities; small school offers opportunity to learn at their own pace; Experience in small village school- appreciate the happiness, family, caring approach taken to my education compared to our peers from town schools; rural school; higher ratio of teacher to pupil attention; I believe small rural schools at the heart of and supporting their community are as much part of Welsh history and culture as the language and therefore need to be protected and nurtured; small schools are the heart of their community; essential element of the village community and the idea that one size fits all in a large conglomerated town school misses the whole purpose of the traditional village sense of belonging and support; The equal opportunity and access to education for rural communities to a network of small rural schools will be lost. It is essential to preserve a strong rural network of schooling to reinforce and complement our rural communities; Parents in rural Welsh village schools choose small village schools for their values, ethos and sense of community. However good bigger</p>	<p>Local authorities are unable to maintain all schools in the current financial climate especially where there are significant surplus places within the system. Should the proposal be implemented there will still be a balance of provision within the Ruthin area including rural, town, faith and language provision maintaining parental preference.</p> <p>The authority has sought to ensure that as a consequence of the Ruthin review that a balance of provision remains. In context, the current pupils on roll at Ysgol Borthyn demonstrate that it is less than the standard one form entry and in the broader context of Denbighshire's key towns it is the second smallest town school.</p> <p>It is the view of the authority that the provision at Ysgol Borthyn, in terms of care, guidance and well-being of pupils is at least equivalent to that of Ysgol Llanbedr. The most recent Estyn inspection of Ysgol Borthyn commented that Ysgol Borthyn provides a caring environment for pupils where each child is valued and supported. Ysgol Borthyn care, support and guidance was also judged as good. The pupil teacher ratio at Ysgol Borthyn was 15.4 for the last academic year.</p> <p>The authority acknowledges that school closure will inevitably impact upon a community and a community impact assessment was carried out as per the requirement of the Code. It is recognised by the authority that the school plays an important role in the community, should the proposal be implemented there would be scope to extend links with Ysgol Borthyn and the Llanbedr DC community.</p>						

		schools are in town, they do not offer all of the above!; The small class mixed age teaching is a holistic approach and enables children to learn at their own pace which has instilled a love of learning and a sense of ownership of the children's own learning	
1n	0.8	Take issue with assertion that it would not be fair on the other children if Ysgol Llanbedr were to remain open	The authority notes this view.
1o	1.6	<p><b>Welsh Language:</b> School encourages children to learn the Welsh language; Although Ysgol Llanbedr is a Category 5 English medium school, 100% of the children are members of the Urdd and partake in Urdd activities, therefore Ysgol Llanbedr plays an important part in the local area in successfully introducing and encouraging native English speakers to the Welsh language. The closure of Ysgol Llanbedr would have a negative impact on the Welsh Language and community</p>	<p>Ysgol Llanbedr is a Category 5 schools and Welsh is taught as a second language. The proposal provides parents with the option for English medium education for their children with Welsh taught as a second language. This is similar to the current position and pupil access. The current proposal provides access and maintains parental preference for language medium.</p> <p>The national curriculum for the Foundation Phase includes Welsh Language Development (Welsh as a second language). Pupils in the Foundation Phase should learn to use and communicate their needs in Welsh to the best of their ability. Pupils should be encouraged to do so and should be increasingly exposed to Welsh. At Key Stage 2 pupils should build on these skills. This is followed by all schools in Wales, such as Category 5, schools which teach Welsh as a second language. The data provided within the assessment is clear that no pupils speak Welsh fluently. 32 pupils can speak Welsh but not fluently and 1 pupil cannot speak Welsh. This data was provided by the school.</p> <p>The impact assessment included outcomes at the end of Key Stage 2 Second Language Welsh assessment for Ysgol Borthyn with 100% of pupils gaining the expected outcomes. There is no data available for 2014 for Ysgol Llanbedr however in 2013 this was 100% and for Ysgol Borthyn in the same year this was 90%. Both were above the local and national average. Should the proposal be implemented pupils of Ysgol Llanbedr would receive an equivalent standard in respect of Welsh language provision.</p> <p>Denbighshire County Council is committed to the Welsh Government's aspiration of delivering 'a sustained increase in both the number and percentage of people able to speak Welsh' and recognise the importance of bilingualism in the 21<sup>st</sup> century. DCC have adopted a long term aspiration that all children and young people in Denbighshire will leave full time education being competent and confident in using both Welsh and English. Outcome 5 of the Welsh in Education Strategic Plan aims to have 'more learners with higher skills in Welsh' including Welsh second language.</p>
1p	23.7	<p><b>Financial Savings:</b> Will amount to virtually nothing; no financial gain; The Council do not own</p>	Based on the current budget it has been estimated that £126k would be retained centrally should the current proposal be implemented. Pupil led funding would follow

the land on which Ysgol Llanbedr is built and there will be no benefit to public funds from its sale following closure. It is suggested that the closure of Ysgol Llanbedr will save the Council £126k however the annual transport costs to take children to alternative schools further away will be greater than £24k per annum, thereby rapidly erasing initial savings and costing the taxpayer a substantial amount in the long run; Costs of decommissioning the school and site; in two years Llanbedr is likely to meet the Ruthin average for cost per pupil, I would be interested to know the costings of actually pursuing closure twice; the proposed saving of £104k is inaccurate, there is little reference to redundancy costs for staff at the school; DCC currently pay little towards school transport for Ysgol Llanbedr pupils but will incur a cost of £26k should the pupils be transferred to Ysgol Borthyn; Building is church owned and would not result in any capital for reinvestment elsewhere; as numbers continue to grow the cost per pupil will reduce and will actually be at the Ruthin average in two years; closure on short term economic terms is short sighted; There is no sound business case for the closure of the school on the basis of unfair costs per head/child. The proposal for Federation/VA status quite clearly removes these concerns.

pupils to an alternative provision. Additionally there would be an annual revenue saving of £4k with the removal of the mobile classroom. The transport costs that could be generated should the current proposal be implemented have been estimated at £26k. This would result in an overall net saving £104k.

The non- pupil led sum (£104k) would be reinvested within the Councils corporate plan to deliver the priority area of improving school buildings and facilities.

Should the projected pupil numbers be realised the cost per pupil would be as follows;

<b>PLASC DATA ONLY PROJECTIONS</b>	<b>Est. Cost Per Pupil</b>	<b>No. of Pupils</b>
2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,293	32
2017/2018	£5,251	39
2018/2019	£4,819	44
2019/2020	£4,787	51
2020/2021	£4,594	53

*\*Please note these years relate to financial years not academic years \*\* These are estimated budget shares only. These do no account for other elements which may impact on the cost per pupil share such as ALN.*

<b>ADMISSION DATA UPDATED</b>	<b>Est. Cost Per Pupil</b>	<b>No. of Pupils</b>
2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,481	32
2017/2018	£5,532	36
2018/2019	£5,195	40
2019/2020	£4,751	45
2020/2021	£4,644	45

*\*Please note these years relate to financial years not academic years \*\*These are estimated budget shares only. These do no account for other elements which may impact on the cost per pupil share such as ALN.*

The current cost per pupil in Denbighshire (2015/2016) is £3,819. The cost per pupil at Ysgol Llanbedr will remain above the local average as it is a small school. Small schools inevitably have a higher cost per pupil than medium or larger sized schools. Should the proposal be implemented pupil led funding would 'follow' pupils to their new provision which would assist any receiving school.

Should Ysgol Llanbedr federate with another Church in Wales school the cost per pupil would remain unaffected. Federated schools maintain their individual budgets. Schools that are Federated within Denbighshire receive an



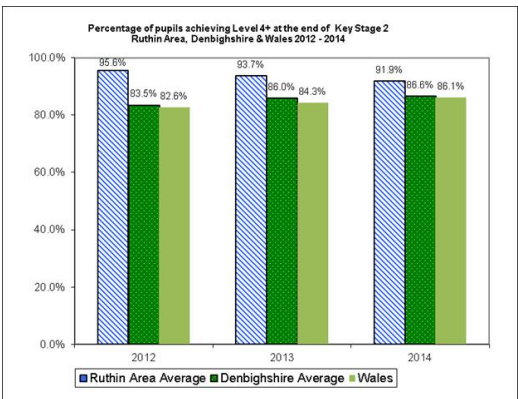
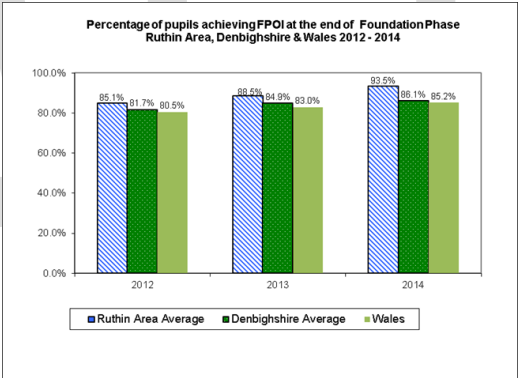
additional £3k per school within the delegated budget (total £6k for a two school Federation arrangement).

Local authorities have a statutory responsibility to review educational provision within their area to ensure that resource is directed in an effective and efficient way, with a focus on resources being directed toward the benefit of pupils and teaching and learning.

1q 3.2 **Educational Standards:**  
 The conclusion of the authority that educational attainment would at least be maintained is flawed; receiving school with poorer results- Ysgol Borthyn foundation level pupils achieved 53% and 58% outcomes in 2012/2013 compared to Ysgol Llanbedr achieving 83%; Educational standards at Ysgol Llanbedr are good and are consistently better than averages within Denbighshire and Wales as a whole; Standards at the school (Ysgol Llanbedr) are excellent and have placed the school in the first quartile according to end of Foundation Phase data.

Estyn, in their response to the formal consultation, concluded that should the proposal be implemented the standards of education within the area would at least be maintained. It is the view of the authority that should the proposal be implemented and pupils transfer to Ysgol Borthyn, or another of the identified alternative provision, they would have access to at least an equivalent standard of provision.

Educational outcomes and attainment across the Ruthin area are good as a whole, the tables below display the Ruthin area average for the Foundation Phase and Key Stage 2 (this information was also contained within the formal consultation document);



The tables below displays the outcomes at the end of the Foundation Phase and Key Stage 2 in all schools identified in the consultation document, this includes the outcomes for the 2014/2015 academic year;

**Foundation Phase- Outcome 5 and above**

	2010	2011	2012	2013	2014	2015
Llanbedr	85.7%	87.5%	100%	83.3%	100%	100%
Borthyn	82.4%	77.3%	58.8%	53.8%	100%	70%
Rhos Street	88.9%	90%	95.2%	100%	100%	100%
Gellifor	100%	94.7%	100%	100%	93.3%	75%
Bro Famau	100%	90%	81.8%	90.9%	80%	100%
Rhewl	100%	100%	66.7%	83.3%	85.7%	70%
Llanfair DC	94.1%	86.7%	100%	100%	92.3%	100%
<b>D'shire Av.</b>	<b>82.4%</b>	<b>79.8%</b>	<b>86.4%</b>	<b>84.9%</b>	<b>86.1%</b>	<b>86.4%</b>
<b>Wales Av.</b>	<b>81.6%</b>	<b>82.7%</b>	<b>80.5%</b>	<b>83%</b>	<b>85.2%</b>	<b>86.8%</b>

Key Stage 2 Level 4+						
	2010	2011	2012	2013	2014	2015
Llanbedr	84.6%	100%	85.7%	100%	n/a	n/a*
Borthyn	58.8%	78.6%	92.3%	93.3%	80%	83.3%
Rhos Street	93.5%	93.3%	96.6%	92.6%	100%	100%
Gellifor	92.9%	92.3%	100%	91.7%	100%	100%
Bro Famau	91.7%	100%	94.4%	95.8%	100%	100%
Rhewl	100%	100%	100%	100%	75%	90.9%
Llanfair DC	88.9%	91.7%	100%	94.1%	93.3%	100%
<b>D'shire Av.</b>	<b>78.1%</b>	<b>82.3%</b>	<b>83.5%</b>	<b>86%</b>	<b>86.6%</b>	<b>87.9%</b>
<b>Wales Av.</b>	<b>77%</b>	<b>80%</b>	<b>82.6%</b>	<b>84.3%</b>	<b>86.1%</b>	<b>87.7%</b>

\*Data has been omitted as it is potentially disclosive

During the formal consultation period the outcomes for the 2014/2015 academic year were not available. The 2015 outcomes are displayed in the table above. The tables below provide contextualised data for both Ysgol Llanbedr and Ysgol Borthyn for the 2015 academic year;

Contextualised Data Foundation Phase Outcomes 2015				
School	ALN	FSM	EAL	Total in Cohort*
Llanbedr	0	1	0	7
Borthyn	6	1	2	10

\*Total includes pupils in cohort who are not ALN/FSM/EAL

Although in 2015 the outcomes at Ysgol Borthyn for the Foundation Phase were below the local and national average, 60% of the cohorts were pupils with Additional Learning Needs including 2 pupils who are statemented. A

further 20% of the cohort were pupils with English as an additional language (EAL). In summary 80% of the cohort were pupils with ALN or EAL. No pupils at Ysgol Llanbedr had Additional Learning Needs and no pupils were EAL. The Free School Meals % at both schools for the assessed cohorts were similar.

Contextualised Data Key Stage 2 Outcomes 2015				
School	ALN	FSM	EAL	Total in Cohort*
Llanbedr	n/a**	n/a	n/a	n/a
Borthyn	9	2	5	24

\*Total includes pupils in cohort who are not ALN/FSM/EAL  
 \*\*Data has been omitted as it has potential to be disclosive. Data has been provided to decision makers.

Ysgol Borthyn saw an improvement in attainment at Key Stage 2 from the last academic year although this was not above the local or national average. There were a total of 24 pupils in the assessed cohort, 9 of these pupils had additional learning needs equating to 37.5% of the overall cohort with a further 5 pupils having English as an additional language (EAL) equating to 20.8% of the overall cohort. Of the total cohort 8.3% were FSM. The cohort in Ysgol Llanbedr was small; the data relating to the cohort is potentially disclosive. The data has been made available to decision makers.

In January each year the categorisation of schools in Wales is published, the table below displays the categorisation for both Ysgol Llanbedr and Ysgol Borthyn. The previous categorisation is displayed for comparative purposes;

School- Jan '16	Standards Group	Improvement Capacity	Support Category
Llanbedr	3	C	Amber
Borthyn	3	B	Yellow
School Jan '15			
Llanbedr	3	B	Yellow
Borthyn	3	C	Amber

1r 9 **Local Development Plan:**  
 LDP approved in June 2013 has plans for 70 additional houses in Llanbedr, also 11 new family homes have recently been given planning permission for the Llanbedr Hall area; In the LDP there are plans for an additional 70 new homes in the village, which is in addition to the 9 family homes recently granted planning permission at Llanbedr Hall. If

The Council calculate how many additional pupils would be generated should homes under the LDP be implemented using an agreed formula which is based on data gathered by Local Authorities. The primary school multiplier is 0.24 (no. of dwellings x 0.24). Should the 70 homes be built in the Llanbedr DC area this would generate an estimated 17 pupils as per the formula. The developments are expected to be phased with 20 homes identified to be built by 2020. This includes 5 homes in 2017, 5 homes in 2018, 5 homes in 2019 and 5 in 2020. This data

		<p>the school closed it is unlikely that the larger scale new home developments would happen as developers would find other locations with nearby schools to be more attractive to sell their houses; additional housing planned in Ysgol Llanbedr projected numbers could be higher than anticipated; Planning permission has been granted to build new houses in the village which would surely add to the numbers that would be likely to attend the school; the consultation document gives little consideration to growth in the Llanbedr area. This is a much sought after area which would encourage any house-builder to quickly capitalise on profits rather than delay build until 2020 as suggested; Proposal pays insufficient regard to the growing demand for school places as a result of an increasing birth rate and future proposals for housing development in the locality</p>	<p>was contained within the Formal Consultation Report and community impact assessment.</p> <p>There is no guarantee that all of these pupils would access the provision at Ysgol Llanbedr due to parental preference for language medium and other types of provision. As of May 2015 there were 37 pupils of primary school age living within the Llanbedr area. 12 pupils were attending Category 5 English medium schools including Ysgol Borthyn, Ysgol Gellifor, Rhos Street School and Ysgol Bro Famau. A further 12 pupils were accessing Welsh medium education and a further 2 pupils were accessing Category 2 dual stream provision. 11 pupils from the Llanbedr DC area were attending Ysgol Llanbedr.</p>
1s	4	<p><b>House Prices:</b> Proposal will lower house prices if there is no local school; I do not want my house to be devalued which would inevitably happen</p>	<p>There is no evidence to suggest that this would be the case. The prime concern in school organisation proposals are to ensure the best educational provision for all pupils within the area.</p>
1t	0.8	<p><b>Impact on Local Economy:</b> Denbighshire will be losing out again not just from council taxes (people not moving to the area) but also from benefits that are brought to the local economy</p>	<p>The authority notes the concerns regarding the impact on the local economy. However, the Council's policy clearly states "Any review of schools within an area will have to take into consideration the impact and benefit a school or its facilities within the local community. The Community Impact Assessment will take into consideration both the community use of the school buildings and the wider impact the school has within the community. However, the overriding factor in any such review would be the effect on the standard of education and lifelong learning to be provided in the area."</p> <p>The authority notes this concern. However, there are a number of villages within Denbighshire, and wider, which do not have village schools but continue to have a thriving and engaged community. Should parents wish for their child/children to access a village school provision there are schools within the area with surplus places.</p> <p>The authority has acknowledged within the Community Impact Assessment that a school closure would inevitably impact on a community but the proposal overall will assist in safeguarding the standard of education in the area.</p>
1u	2.4	<p><b>Concern Regarding Empty Building:</b> Concerned as to what would happen to the building and grounds. If no-one took on responsibility for the building it</p>	<p>The authority would work with the Diocese should the current proposal be implemented and the site was to become vacant or retained by the community in part or in whole.</p>

		might fall into dis-repair and become derelict and attract undesirable occupiers into our community; county do not own the land that the school currently sits on so to move children from a settled location, relocate teachers and then be left with a derelict piece of land which is not owned by the county seems ludicrous; DCC are throwing away a good school building																
1v	2.4	<b>Astro-Turf Facility:</b> Concerns about what would happen to the all-weather 'astroturf' games pitch if the school were to close and who would be responsible for its management and how would it be funded; The facility is a community facility and is used by the local netball and football teams as well as individuals; The astro turf and car parking will be lost to the community- there is no way these can be transferred to the community as the school grounds are held in trust for educational use	The authority would work with the Diocese of St Asaph to explore possible future options for the school site inclusive of the astro turf facility for community use.															
1w	3.2	<b>Travel to Alternative Schools:</b> <i>Children living in the village would have to travel longer distances to an alternative school; People of Llanbedr who may walk to school with their children would not be able to do so from Llanbedr into Ruthin for them to attend Ysgol Borthyn; DCC will incur an extra school transport cost of £26k per annum</i>	<p>Should the current proposal be implemented 15 pupils would be eligible for home to school transport to Ysgol Borthyn. Not all of these pupil would be travelling further distances, 4 pupils have home locations closer to Ysgol Borthyn therefore their journey times would be reduced. For all pupils journey times would be within the guidance as set out by the Welsh Government.</p> <p>The table below displays information relating to the home locations of pupils (full and part time) who currently attend Ysgol Llanbedr and the proximity to CiW primary educational provision;</p> <table border="1"> <thead> <tr> <th>School</th> <th>No. of Pupils</th> <th>2 miles of Ysgol Borthyn</th> </tr> </thead> <tbody> <tr> <td>Borthyn</td> <td>16</td> <td>13</td> </tr> <tr> <td>Llanbedr</td> <td>14</td> <td>2</td> </tr> <tr> <td>Llanfair</td> <td>6</td> <td>0</td> </tr> <tr> <td>Total</td> <td>36</td> <td>15</td> </tr> </tbody> </table> <p>Of the pupils currently attending Ysgol Llanbedr, 11 live within the Llanbedr area. The school is located 0.7 miles from the centre of the village, there are no pedestrian walkways leading from the village to the school.</p> <p>The transport costs would be managed within existing resources and have been taken into account as part of the overall calculation of savings.</p>	School	No. of Pupils	2 miles of Ysgol Borthyn	Borthyn	16	13	Llanbedr	14	2	Llanfair	6	0	Total	36	15
School	No. of Pupils	2 miles of Ysgol Borthyn																
Borthyn	16	13																
Llanbedr	14	2																
Llanfair	6	0																
Total	36	15																

1x	1.6	<p><b>Expansion of site:</b> There is room for expansion as the numbers in Ysgol Llanbedr are continually growing; lends itself well to future development (unlike Ysgol Borthyn)</p>	<p>The option to expand and improve facilities at Ysgol Llanbedr has been explored by the authority and a feasibility study was undertaken in 2013. The advantages and disadvantages of this option are listed within the formal consultation document. It is the view of the authority that this option would not meet the key drivers of the review.</p> <p>The feasibility study for Ysgol Borthyn highlighted options for future expansion, should the need arise.</p>
1y	1.6	<p><b>Glasdir- New Schools:</b> Should the proposed new town school go ahead in Ruthin, this is likely to be built close to Ysgol Borthyn and the effect on my children's education is not a sacrifice I am willing to make; The development of a new community school will undoubtedly have an impact on the school roll at Ysgol Borthyn, a short distance down to the road. This must be fully considered prior to any decision on the outcome of the wider Ruthin primary review</p>	<p>The new school buildings do not introduce a new provision into the town of Ruthin but intend to provide new facilities for Ysgol Pen Barras and Rhos Street School. It is the view of the authority that this will not impact adversely on Ysgol Borthyn. Cabinet have stated that Ysgol Borthyn should be retained (Cabinet- June 2013) to continue to provide an English medium faith based provision (Church in Wales) for the town of Ruthin and surrounding areas. This ensures that parental preference with a mix of linguistic, faith and secular provision remains within the town.</p>
1z	0.8	<p>I would like to request clarification that my salary will be guaranteed up to and including the proposed date of closure of 31<sup>st</sup> of August 2016.</p>	<p>Any school re-organisation process could result in staff redundancy. However the council would actively seek re-deployment as a preferred option for staff. In previous cases of school closures within Denbighshire redundancies have been minimal with the majority of staff redeployed.</p> <p>Should the proposal be implemented all staff would be offered 1-2-1 meetings with a HR officer to discuss options such as re-deployment, their well-being and to offer support and advice appropriate to the needs of the individual members of staff. Where redundancy occurs the specific details of individual circumstances would be fully discussed with staff members. All members of staff have been offered support by HR and a member of the HR team has visited the staffing body during the consultation period.</p>

# DRAFT

## Appendix Five Template Responses

Ref.	%	Issue Raised	LA Response
T1	78.4	Public opinion- 533 objections to the proposal to close (response to formal consultation)	All responses were considered by Cabinet members. Decision makers were provided with hardcopies of all responses received therefore the information was available to the decision makers {Cabinet members}. The issues raised by respondents were summarised in the formal consultation report.
T2	28.2	Ysgol Llanbedr is the only English medium rural faith school in the area	<p>The proposed alternative school, Ysgol Borthyn, offers a faith based (Church in Wales) English medium primary provision. Other alternative schools in the area provide a mix of faith based, town and village based provision. The possible alternative schools were contained within the consultation document.</p> <p>The authority acknowledges that there are a number of factors that determine where parents send their child/children. However, local authorities are unable to maintain all schools in the current financial climate especially where there are significant surplus places within the system. Should the proposal be implemented there will still be a mix of provision within the Ruthin area including</p>

			<p>rural, town, faith and language provision.</p> <p>The Ruthin review has sought to ensure that a broad provision is maintained within the area to ensure parental choice. The alternative school provides an equivalent language and faith provision, additionally there are other English medium faith based places within the Ruthin area such as Ysgol Llanfair DC (Category 2). Should parents express a preference for a village/rural location there are sufficient places available within the Ruthin area (English medium).</p>
T3	74.4	<p>Pupil numbers at the school are increasing and there's planning for 70 homes very near the school which will increase demand for places at Llanbedr. Therefore the village should keep its school.</p> <p>Pupil numbers are expected to continue to grow at Ysgol Llanbedr with several children already expressing interest for nursery places in 2016/17 and 2017/18.</p> <p>Growing despite threat of closure for 3 years. Strong demand despite the threat of closure.</p>	<p>Within the formal consultation document the authority contained two sets of pupil projection data, the first set of data contained only actual pupil numbers as of the January PLASC 2015. These figures provided averages for the nursery, reception and Year 1 intake for consequent years. The second set of data updated the pupil projections to include the admission data for both nursery and reception for September 2016.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 full time places, which would result in surplus places in Category 5 English medium faith schools would ranging from 22 to 64.</p> <p>Pupil forecasts are also compared against live birth data for the area (included within the consultation document) which demonstrates that the live birth rate has been static within the area for a number of years suggesting that the overall quantum of pupils within the area will not increase substantially.</p> <p>As of January 2016 there are 3 applications for the Reception intake for Ysgol Llanbedr and 9 for Ysgol Borthyn. There are currently 4 pupils in the Nursery at Ysgol Llanbedr and 15 at Ysgol Borthyn. It is the view of the authority that although there will be an overall increase in pupil numbers at Ysgol Llanbedr, surplus places will remain at both schools. Current and future pupils can be accommodated within existing class structures.</p> <p>At the outset of the Ruthin review the authority undertook a feasibility study of all school sites. This study demonstrated that should demand necessitate there is scope for a small extension at Ysgol Borthyn.</p> <p>22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.</p>



		<p style="font-size: 48px; opacity: 0.2; text-align: center;">DRAFT</p>	<p>If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).</p> <p>The Council calculate how many additional pupils would be generated should homes under the LDP be implemented using an agreed formula which is based on data gathered by Local Authorities. The primary school multiplier is 0.24 (no. of dwellings x 0.24). Should the 70 homes be built in the Llanbedr DC area this would generate an estimated 17 pupils as per the formula. The developments are expected to be phased with 20 homes identified to be built by 2020. This includes 5 homes in 2017, 5 homes in 2018, 5 homes in 2019 and 5 in 2020.</p> <p>There is no guarantee that all of these pupils would access the provision at Ysgol Llanbedr due to parental preference for language medium and other types of provision. As of May 2015 there were 37 pupils of primary school age living within the Llanbedr area. 12 pupils were attending Category 5 English medium (non-faith) schools including Ysgol Borthyn, Ysgol Gellifor, Rhos Street School and Ysgol Bro Famau. A further 12 pupils were accessing Welsh medium education and a further 2 pupils were accessing Category 2 provision. 11 pupils from Llanbedr DC were attending Ysgol Llanbedr.</p>
T4	57.4	<p>People don't choose to live in the country to send their children to large urban primary schools. Village schools are an important part of the community in rural areas. The Ruthin area is a rural area and the village schools in the Ruthin area are all delivering a great education to the children lucky enough to go to them.</p> <p>Wales is a rural county therefore rural schools should be supported. Viable rural school providing great education to the children of Llanbedr and wider area. Loss of a vital community asset. The equal opportunity and access to education for rural communities to a network of small rural schools will be lost. It is essential to preserve a strong rural network of schooling to reinforce and complement our rural</p>	<p>Local authorities are unable to maintain all schools in the current financial climate especially where there are significant surplus places within the system. Should the proposal be implemented there will still be a balance of provision within the Ruthin area including rural, town, faith and language provision maintaining parental preference.</p> <p>The authority has sought to ensure that as a consequence of the Ruthin review that a balance of provision remains. In context, the current pupils on roll at Ysgol Borthyn demonstrate that it is less than the standard one form entry and in the broader context of Denbighshire's key towns it is the second smallest town school.</p>

		communities. DCC prides itself on being a council close to the community. By closing Ysgol Llanbedr DC it will take the heart and future out of the community.																																																																																																																																																				
T5	45.8	<p>Ysgol Llanbedr is a good school with happy children receiving a great education and getting super results. The children are currently very well educated at the school, their results are very good. The children do very well academically; they leave the school confident, with a positive attitude to learning and ready for high school. We should be celebrating our successful schools, there's few of them, rather than trying to close them. Successful school with happy high achieving pupils. The school has always had a nurturing and community forming culture, where children have been given and are still given a good deal of adult attention and encouragement. Sending Llanbedr pupils to Ruthin schools will inevitably increase class sizes and reduce the ratio of adult to child.</p> <p>Larger class sizes will mean some children's education and personal development will suffer. Children feel safe in an environment that is familiar.</p>	<p>The authority notes the views relating to current provision at Ysgol Llanbedr. It is the view of the authority, and the view of Estyn, that should the current proposal be implemented pupils would have access to at least an equivalent standard of educational provision should the current proposal be implemented.</p> <p>The tables below displays the outcomes at the end of the Foundation Phase and Key Stage 2 in all schools identified in the consultation document, this includes the outcomes for the 2014/2015 academic year;</p> <table border="1"> <thead> <tr> <th colspan="7">Foundation Phase- Outcome 5 and above</th> </tr> <tr> <th></th> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> <th>2014</th> <th>2015</th> </tr> </thead> <tbody> <tr> <td>Llanbedr</td> <td>85.7%</td> <td>87.5%</td> <td>100%</td> <td>83.3%</td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Borthyn</td> <td>82.4%</td> <td>77.3%</td> <td>58.8%</td> <td>53.8%</td> <td>100%</td> <td>70%</td> </tr> <tr> <td>Rhos Street</td> <td>88.9%</td> <td>90%</td> <td>95.2%</td> <td>100%</td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Gellifor</td> <td>100%</td> <td>94.7%</td> <td>100%</td> <td>100%</td> <td>93.3%</td> <td>75%</td> </tr> <tr> <td>Bro Famau</td> <td>100%</td> <td>90%</td> <td>81.8%</td> <td>90.9%</td> <td>80%</td> <td>100%</td> </tr> <tr> <td>Rhewl</td> <td>100%</td> <td>100%</td> <td>66.7%</td> <td>83.3%</td> <td>85.7%</td> <td>70%</td> </tr> <tr> <td>Llanfair DC</td> <td>94.1%</td> <td>86.7%</td> <td>100%</td> <td>100%</td> <td>92.3%</td> <td>100%</td> </tr> <tr> <td><b>D'shire Av.</b></td> <td><b>82.4%</b></td> <td><b>79.8%</b></td> <td><b>86.4%</b></td> <td><b>84.9%</b></td> <td><b>86.1%</b></td> <td><b>86.4%</b></td> </tr> <tr> <td><b>Wales Av.</b></td> <td><b>81.6%</b></td> <td><b>82.7%</b></td> <td><b>80.5%</b></td> <td><b>83%</b></td> <td><b>85.2%</b></td> <td><b>86.8%</b></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="7">Key Stage 2 Level 4+</th> </tr> <tr> <th></th> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> <th>2014</th> <th>2015</th> </tr> </thead> <tbody> <tr> <td>Llanbedr</td> <td>84.6%</td> <td>100%</td> <td>85.7%</td> <td>100%</td> <td>n/a</td> <td>n/a*</td> </tr> <tr> <td>Borthyn</td> <td>58.8%</td> <td>78.6%</td> <td>92.3%</td> <td>93.3%</td> <td>80%</td> <td>83.3%</td> </tr> <tr> <td>Rhos Street</td> <td>93.5%</td> <td>93.3%</td> <td>96.6%</td> <td>92.6%</td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Gellifor</td> <td>92.9%</td> <td>92.3%</td> <td>100%</td> <td>91.7%</td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Bro Famau</td> <td>91.7%</td> <td>100%</td> <td>94.4%</td> <td>95.8%</td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Rhewl</td> <td>100%</td> <td>100%</td> <td>100%</td> <td>100%</td> <td>75%</td> <td>90.9%</td> </tr> <tr> <td>Llanfair DC</td> <td>88.9%</td> <td>91.7%</td> <td>100%</td> <td>94.1%</td> <td>93.3%</td> <td>100%</td> </tr> <tr> <td><b>D'shire Av.</b></td> <td><b>78.1%</b></td> <td><b>82.3%</b></td> <td><b>83.5%</b></td> <td><b>86%</b></td> <td><b>86.6%</b></td> <td><b>87.9%</b></td> </tr> </tbody> </table>	Foundation Phase- Outcome 5 and above								2010	2011	2012	2013	2014	2015	Llanbedr	85.7%	87.5%	100%	83.3%	100%	100%	Borthyn	82.4%	77.3%	58.8%	53.8%	100%	70%	Rhos Street	88.9%	90%	95.2%	100%	100%	100%	Gellifor	100%	94.7%	100%	100%	93.3%	75%	Bro Famau	100%	90%	81.8%	90.9%	80%	100%	Rhewl	100%	100%	66.7%	83.3%	85.7%	70%	Llanfair DC	94.1%	86.7%	100%	100%	92.3%	100%	<b>D'shire Av.</b>	<b>82.4%</b>	<b>79.8%</b>	<b>86.4%</b>	<b>84.9%</b>	<b>86.1%</b>	<b>86.4%</b>	<b>Wales Av.</b>	<b>81.6%</b>	<b>82.7%</b>	<b>80.5%</b>	<b>83%</b>	<b>85.2%</b>	<b>86.8%</b>	Key Stage 2 Level 4+								2010	2011	2012	2013	2014	2015	Llanbedr	84.6%	100%	85.7%	100%	n/a	n/a*	Borthyn	58.8%	78.6%	92.3%	93.3%	80%	83.3%	Rhos Street	93.5%	93.3%	96.6%	92.6%	100%	100%	Gellifor	92.9%	92.3%	100%	91.7%	100%	100%	Bro Famau	91.7%	100%	94.4%	95.8%	100%	100%	Rhewl	100%	100%	100%	100%	75%	90.9%	Llanfair DC	88.9%	91.7%	100%	94.1%	93.3%	100%	<b>D'shire Av.</b>	<b>78.1%</b>	<b>82.3%</b>	<b>83.5%</b>	<b>86%</b>	<b>86.6%</b>	<b>87.9%</b>
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*\*Data has been omitted as it is potentially disclosive*

During the formal consultation period the outcomes for the 2014/2015 academic year were not available. The 2015 outcomes are displayed in the table above. The tables below provide contextualised data for both Ysgol Llanbedr and Ysgol Borthyn for the 2015 academic year;

<b>Contextualised Data Foundation Phase Outcomes 2015</b>				
<b>School</b>	<b>ALN</b>	<b>FSM</b>	<b>EAL</b>	<b>Total in Cohort*</b>
Llanbedr	0	1	0	7
Borthyn	6	1	2	10

*\*Total includes pupils in cohort who are not ALN/FSM/EAL*

Although in 2015 the outcomes at Ysgol Borthyn for the Foundation Phase were below the local and national average, 60% of the cohorts were pupils with Additional Learning Needs including 2 pupils who are statemented. A further 20% of the cohort were pupils with English as an additional language (EAL). In summary 80% of the cohort were pupils with ALN or EAL. No pupils at Ysgol Llanbedr had Additional Learning Needs and no pupils were EAL. The Free School Meals % at both schools for the assessed cohorts were similar.

<b>Contextualised Data Key Stage 2 Outcomes 2015</b>				
<b>School</b>	<b>ALN</b>	<b>FSM</b>	<b>EAL</b>	<b>Total in Cohort*</b>
Llanbedr	n/a**	n/a	n/a	n/a
Borthyn	9	2	5	24

*\*Total includes pupils in cohort who are not ALN/FSM/EAL*

*\*\*Data has been omitted as it has potential to be disclosive. Data has been provided to decision makers.*

Ysgol Borthyn saw an improvement in attainment at Key Stage 2 from the last academic year although this was not above the local or national average. There were a total of 24 pupils in the assessed cohort, 9 of these pupils had additional learning needs equating to 37.5% of the overall cohort with a further 5 pupils having English as an additional language (EAL) equating to 20.8% of the overall cohort. Of the total cohort 8.3% were FSM. The cohort in Ysgol Llanbedr was small; the data relating to the cohort is potentially disclosive. The data has been made available to decision makers.

In January each year the categorisation of schools in Wales is published, the table below displays the

categorisation for both Ysgol Llanbedr and Ysgol Borthyn. The previous categorisation is displayed for comparative purposes;

School- Jan '16	Standards Group	Improvement Capacity	Support Category
Llanbedr	3	C	Amber
Borthyn	3	B	Yellow
School Jan '15			
Llanbedr	3	B	Yellow
Borthyn	3	C	Amber

Although class sizes may be smaller due to the overall pupil numbers within a small school there is often a requirement for pupils to be taught in mixed age range classes. Although mixed year groups are a commonality such as Nursery & Reception, Year 1 & 2 and so on these are within a reduced age range than say an entire key stage. Currently in Ysgol Llanbedr pupils are taught in two classes, a foundation phase class and a key stage 2 class.

With a wider age range, and wider ability range within this group, there are challenges in terms of teacher and class planning. There is also less opportunity for staff to specialise and for an effective middle and senior leadership team. Larger schools, such as Ysgol Borthyn, allow pupils access to a broader compliment of teaching staff offering expertise in a number of curriculum areas.

DRAFT

T6 34.7 Pupil numbers are growing and the cost per pupil will be at the Ruthin average in a couple of years.

Based on the current budget it has estimated that £126k would be retained centrally should the current proposal be implemented. Pupil led funding would follow pupils to an alternative provision. Additionally there would be an annual revenue saving of £4k with the removal of the mobile classroom. The transport costs that could be generated should the current proposal be implemented have been estimated at £26k. This would result in an overall net saving £104k.

The non- pupil led sum (£104k) would be reinvested within the Councils corporate plan to deliver the priority area of improving school buildings and facilities.

Should the projected pupil numbers be realised the cost per pupil would be as follows;

PLASC DATA ONLY PROJECTIONS	Est. Cost Per Pupil	No. of Pupils
2015/2016 (Actual)	£7,725	22 FT
2016/2017*	£6,293	32
2017/2018	£5,251	39
2018/2019	£4,819	44

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T7	40.8	<p>The proposal for Ysgol Llanbedr to federate with Ysgol Trefnant, Church in Wales school, and to change status to Voluntary Aided is supported by the Governing bodies from both schools, the Diocese of St Asaph and the wider community. Both of these changes will reduce costs for DCC and maintain schools in the village communities.</p> <p>Ysgol Llanbedr is sustainable in its own right, however there is also a sensible proposal on the table to secure the future of the school and reduce the cost to the council. It makes good business sense to progress the VA status and federation with Ysgol Trefnant rather than close the school.</p> <p>It is unclear on what grounds this has been dismissed by DCC if they have</p>	<p>The authority included an assessment of alternative options within the consultation document. The advantages and disadvantages of each option and an assessment against the key drivers for the review were also included.</p> <p>The Diocese of St Asaph and the Governing Body of Ysgol Llanbedr suggested Federation and a change of legal status from VC to VA as an alternative to the proposed closure. Proposed closure formed the focus of the consultation conducted by the local authority however the Diocese and Governing Body developed their proposal to federate with another Church in Wales primary school. A case for Federation was put forward by both parties, the authority provided a response within the formal consultation report and provided a further paper in addition for decision makers. The formal consultation report and paper addressing federation can be found <a href="#">here</a>.</p> <p>The consultation was conducted regarding the following proposal "Proposal to close Ysgol Llanbedr DC as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol</p>																											

		indeed considered and discussed it. It should certainly have been taken to public consultation.	<p>Borthyn, Ruthin subject to parental preference". The formal consultation makes it explicit that the proposal is in relation to closure. Federation and a change of legal status was an option developed by the Governing Body and the Diocese of St Asaph and this was submitted as a response to the formal consultation. The Governing Body and Diocese requested that the option to Federate and change in status was considered by Cabinet before any decision was progressed regarding the current proposal {closure}.</p> <p>There is no requirement under the School Organisation Code for local authorities to consult on more than one option in relation to school organisation proposals. Should a proposer wish to consult on more than one option they can do so however it is not a requirement for alternative options to form part of the consultation process.</p>
T8	4.5	Instead of pursuing closure of this successful school the council should focus efforts on new schools for Pen Barras and Rhos St if the parents want it.	School organisation proposals do not impact on the capacity to undertake capital projects.
T9	15.9	<p>There is not capacity at Ysgol Borthyn, capacity 142, for all the pupils from Ysgol Llanbedr. Using projected pupil numbers for both schools the combined number of pupils will always be greater than 142, the capacity at Ysgol Borthyn.</p> <p>There is not enough space at Borthyn, so the council would need to invest in more mobile classrooms for the pupils there. Not only does this penalise the children at Llanbedr it also penalises the children currently at Ysgol Borthyn.</p>	<p>The authority has acknowledged there will be an increase in pupil numbers, however Ysgol Llanbedr will remain a small school. It is unlikely that the school will reduce surplus places to within 10% in the near future. There are currently 32 full time pupils at Ysgol Llanbedr and 4 part time pupils. Assuming all part time pupils transition to Reception in 2016 there would be 36 full time pupils at Ysgol Llanbedr. The capacity of Ysgol Llanbedr will increase to 77 full time places as of September 2016 which would result in a surplus capacity of 41 places equating to 53.2% of the overall capacity.</p> <p>The pupil projections provided within the consultation document demonstrate a range of figures from 197 based on the PLASC only data and 155 with the updated admissions information. The capacity of the two schools would be 219 which would result in surplus places in Category 5 English medium faith schools would range from 22 to 64.</p> <p>22.9% of all faith based places (71 places) are currently surplus, a further 133 places within the area which provide English medium category 5 provision are surplus equating to 26.7%. Overall there are 204 surplus places equating to 25.3% of the overall capacity of English medium and dual stream category 2 schools in the Ruthin area.</p> <p>If no further school organisation proposals were implemented within the Ruthin area there would be a surplus capacity ranging from 21.8% (PLASC only forecast) to 28.4% (admissions update forecast) in 2020. If all proposals as part of the Ruthin review are implemented surplus capacity would range from 9.6% (PLASC only) to 17.2% (admissions update forecast).</p>

			As part of the Ruthin area review the authority has sought a balance of provision. At the outset of the Ruthin Review in February 2013 24.8% of primary places in the Ruthin area were Church in Wales provision. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%.
T10	13.9	There is clear demand for English medium faith education in the Ruthin area based on pupil numbers and pupil projections for Ysgol Llanbedr and Borthyn. Ysgol Borthyn cannot provide sufficient places for the demand.	At the commencement of the Ruthin review in February 2013 24.8% of the overall capacity for the Ruthin area were faith places. If all proposals for the Ruthin area are implemented this is forecast to increase to 26.8%. There is capacity within Ysgol Borthyn (as per the capacity assessment) for a further 23 full time pupils places. Should it be required this space could be utilised within the school.
T11	37.8	<p>Ysgol Llanbedr has the associated Munchkins childcare. This childcare is the only one in the Ruthin area to accept children from 8am-6pm, 5 days a week, 50 weeks a year as standard. Not only is the offering unique, it is also one of the most affordable childcare facilities in the Ruthin area. Munchkins is used by children from every school in the area during the year but it is solely reliant on Ysgol Llanbedr, as it cannot exist anywhere else.</p> <p>The affordable wrap around care and holiday club is brilliant for working people. No equivalent at the proposed transfer school (Ysgol Borthyn) in terms of breakfast club, after school care, care for siblings from aged 2 years and holiday club out of term time. Whilst a school should not be kept open just because of wrap around care, there is so much more to Ysgol Llanbedr than the wrap around care.</p>	<p>The authority notes concerns of objectors that 'Munchkins@Llanbedr' may not be viable without the school remaining open. However the authority will work with the provider regarding future provision should the current proposal be implemented.</p> <p>Other schools in the area provide wrap-around-care, including the proposed receiving school Ysgol Borthyn. Ysgol Borthyn offers 'Borthyn Bunnies' playgroup for pupils aged two and a half years and over for morning and afternoon sessions. Other schools within the area also offer similar wrap-around-care provision, breakfast clubs and after school clubs. There is also a significant surplus of childcare places within the Ruthin area (English medium). Although the authority recognises the importance to parents of wrap-around-care it is important to note that this is not a statutory provision.</p> <p>Additionally, the Denbighshire County Council childcare sufficiency report (2014) noted that there were a total of 354 childcare places available in the Ruthin area. There were 258 children of 0-3 years of age in 2014 with 50% of childcare vacancies empty for this age range not taking into account 118 spaces within full day care private provision. The full day care provision in Ruthin has a daily capacity of 57% of the numbers it could cater for suggesting that there is more than adequate childcare options and places available within the area. Other full day child care is available in the Ruthin area. The report can be found <a href="#">here</a>.</p>
T12	22.8	There is nothing new in this consultation to close Ysgol Llanbedr, compared to the last one. This consultation uses the same arguments that the education minister found to be seriously flawed last time. No evidence presented by DCC to confirm that they have reconsidered matters since the	Following the decision by the Minister in January 2015 the authority reconsidered the proposal in the context of the current situation against the key drivers of the review. A number of issues remained including surplus places both at Ysgol Llanbedr and the wider area. The authority considered other options such as retaining the status quo, federation, change of legal status and closure. These options alongside the advantages and disadvantages

		<p>decision from Cardiff.</p> <p>The speed at which the council came after Ysgol Llanbedr in February 2015, less than two weeks after the news from Cardiff that the school was to stay open, was just spiteful. There is no sensible reason why the council had to take this action so quickly other than either because its scared pupil numbers would grow so quickly at the school that it wouldn't be able to close the school.</p>	<p>were provided in the consultation document.</p> <p>The decision to commence formal consultation was made by Cabinet in June 2015, approximately 4 months after the decision of the Minister. It is the view of the authority that it has met the consultative and publication requirements as set out in the Code.</p>
T13	16.8	<p>The council estimate they will save £126k by closing Ysgol Llanbedr. It is more realistic to expect the actual saving to be zero.</p> <p>Costs savings of £126k minimal compared to the actual costs expended in defending the schools position and refuting the claims of DCC as to why the school should close. The costs involved in the first proposal through to Cardiff were not insubstantial and the proposal will now need to be referred a second time.</p> <p>The lead member for education has said several times that Ysgol Llanbedr does not need to be closed to progress with the new schools for Rhos St, Pen Barras, Llanfair or Carreg Emlyn. Therefore why continue to a second consultation to close the school, the savings from closing the school would be tiny. Small financial gain.</p>	<p>The saving within the delegated school budget would be £126k. Less the additional transport costs of £26k which could be incurred should the proposal be implemented. A further revenue saving would also be realised should the mobile accommodation be removed of £4k per annum. This would result in an overall saving of £104k.</p> <p>Furthermore the proposal would lead to a more equitable disruption of funding within the Ruthin area between mainstream schools. Although some reduction in cost per pupil will be realised at Ysgol Llanbedr this would not be in line with the Ruthin average and would not achieve the same economies of scale as the proposal to close.</p> <p>Local authorities have a statutory responsibility to review educational provision within their area to ensure that resource is directed in an effective and efficient way, with a focus on resources being directed toward the benefit of pupils and teaching and learning. Good strategic planning of educational provision allows for resource to be re-directed to support the provision of new facilities.</p>
T14	10.2	<p>MET officers stating that Ysgol Llanbedr is, and always will be, a small school in Cabinet on 27<sup>th</sup> of October was meant to show that the school is not sustainable. However there are 18 small schools in Denbighshire, as the definition is less than 100 pupils.</p>	<p>School organisation proposals are considered within the context of the area and a number of factors are taken into account such as proximity to general areas of population.</p>
T15	8.3	<p>Consultation with parents, staff and the community has been appalling by DCC with numerous incidences of information presented in the press in advance of any formal notifications or discussions. I have received no contact from DCC {community}</p>	<p>The authority is satisfied that it has met the statutory consultative and publication requirements of the School Organisation Code.</p>
T16	11.4	<p>Parental choice of existing parents and those future parents within the community. Choice will be eroded by the closure of Ysgol Llanbedr and other</p>	<p>The Ruthin review has sought to ensure that a broad provision is maintained within the area to ensure parental choice. The alternative school provides an equivalent language and faith provision, additionally there are other</p>



		schools targeted by the Review provisions.	<p>English medium faith based places within the Ruthin area such as Ysgol Llanfair DC (Category 2). Should parents express a preference for a village/rural location there are sufficient places available within the Ruthin area (English medium).</p> <p>Due to the financial constraints placed on local authorities not all schools are sustainable especially in light of other issues such as surplus places within areas. The alternative school, Ysgol Borthyn, provides a faith based education. The authority recognises the importance of faith based provision within education. Parents who wish for their child/children to attend a faith based English medium provision will be able to continue to do so.</p>
T17	5.4	<p>Whilst the council tries to find evidence that small schools do not perform as well as larger schools, both Estyn and Ofsted have issued reports that demonstrate that small schools achieve at least as well as larger schools. Suggesting that the pupils at Ysgol Llanbedr will be better off in a larger school is wrong.</p> <p>Describing Ysgol Llanbedr as a small school is right, as there are and always will be less than 100 pupils. However it is wrong to state this is unsustainable. Ysgol Llanbedr is very viable and sustainable.</p>	<p>Small schools, such as Ysgol Llanbedr, face greater challenges than larger schools in terms of curriculum delivery. Smaller schools are required to teach in classes spanning numerous age ranges. Usually in schools with less than 50 pupils will be taught within their appropriate key stage, as is the case currently with Ysgol Llanbedr which has two classes, one for the Foundation Phase and one for Key Stage 2 pupils. This presents challenges for teachers who are required to plan for a larger age range and abilities.</p>
T18	4	<p>The impact on the well-being of the children has been completely overlooked by the council, such is the lack of attention to detail that the children's document had to be re-written half way through the consultation as it was found to be misleading. Surely the children are the most important people in this consultation? Why did the council go to the effort of carrying out a children's consultation to then pay no notice to it in the consultation report? Stop penalising the pupils, staff and families of those associated with Ysgol Llanbedr.</p>	<p>The authority has made adequate arrangements to ensure that the best interests of learners are ensured during this process. This has included producing a children and young people's consultation document- to which numerous pupils have supplied a response. The authority, in conjunction with the Governing Body of Ysgol Llanbedr, facilitated a consultation session for the pupils of Ysgol Llanbedr which allowed them to put forward their views regarding the proposal.</p> <p>The Council produced a report for decision makers and consultees summarising the views of children and young people that were collected during the consultation period. Additionally the authority produced a formal consultation report specifically for children and young people. This was shared in draft with the school for comment prior to the publication of the report for comment. The school were satisfied that the report represented the views of the pupils. The views contained within the report were considered alongside all other views contained within the report.</p> <p>Prior to the commencement of the consultation in June 2015 the authority contacted the school regarding</p>

			arrangements for pupils during the consultation period. It was stated that should staff at the school or parents/carers become aware of any issues resulting in pupils requiring additional support this could be provided by contacting the relevant support officers within the school improvement team. Neither the school nor individual families have approached the authority with any concern to date. Should the proposal be formally published this support would continue.
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DRAFT

Proposal to Close Ysgol Llanbedr DC as of  
the 31<sup>st</sup> of August 2016 with pupils  
transferring to Ysgol Borthyn, Ruthin  
subject to parental preference  
02 February 2016

Equality Impact Assessment

## **<Proposal to close Ysgol Llanbedr DC as of the 31<sup>st</sup> of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference>**

**Contact:** Lowri Roberts

**Updated:** <02.02.16>

### **1. What type of proposal / decision is being assessed?**

A service review or re-organisation proposal

### **2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?**

The proposal is part of the Ruthin area review of primary educational provision. Should a decision be made to implement this proposal English medium, faith based (church in wales) primary education would cease in the village of Ysgol Llanbedr DC.

In November 2015 the council published a statutory notice regarding on the proposed closure of Ysgol Llanbedr DC with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference. This EQIA has been updated as a decision is required from Cabinet regarding this proposal.

Should the current proposal be implemented educational provision in the village of Llanbedr DC would cease. Ysgol Llanbedr is an English medium Church in Wales school, the alternative school is also a English medium Church in Wales school. This provides pupils with continuity in provision.

Should the current proposal be implemented Denbighshire County Council will work with the staff on an individual basis. Should the proposal be implemented this may result in redeployment of staff or staff redundancy. As part of the consultation process staff will be able to speak with a Human Resources representative.

Should the proposal be implemented the village/community of Llanbedr DC would

lose the school as a facility. However there are alternatives such as the village hall which is currently and could be utilised by the community going forward.

The Council recognise that the proposal would result in a change in learning environment for all pupils should it be implemented. The Council recognise that this may be particularly challenging for pupils with ALN. In this instance the Council would work closely with parents and pupils prior and during the transition period to an alternative school. Support that pupils with ALN currently receive would be replicated within their new learning environment. The proposed alternative provision provides at least an equal standard of provision for ALN pupils that they would currently receive in Ysgol Llanbedr. Should the proposal be progressed appropriate officers would work with individual parents and pupils. No pupils at Ysgol Llanbedr have English as an additional language.

**3. Does this proposal / decision require an equality impact assessment? If no, please explain why.**

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes	<If no, briefly summarise the reasons for this decision here, and skip ahead to the declaration at the end>
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**4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken**

*(Please refer to section 1 in the toolkit for guidance)*

A period of consultation was undertaken from June-July. This included engagement with pupils at the named schools. The Statutory Notice period allowed for objections to be made in respect of the proposal.

**5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

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**6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

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**7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

<b>Yes</b>	If implemented the closure would result in the closure of a faith based (CiW) educational provision in the village of Llanbedr DC. The proposed alternative provision, Ysgol Borthyn Ruthin (approx 2.1 miles from Ysgol Llanbedr DC) offers a Faith based CiW provision for existing pupils of Ysgol Llanbedr DC. There are further faith based school places available within the Ruthin area.
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**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

<b>Yes</b>	The proposal would result in the closure of a faith based Church in Wales school in the village of Ysgol Llanbedr. The Council does not believe that this will have a disproportionate impact on any of the protected characteristic- specifically faith as the proposed alternative school is offers a faith based provision. Additionally there are other available faith based pupil places that offer an English medium provision.
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Action(s)	Owner	By when?
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**9. Declaration**

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

<b>Review Date:</b>	<02.02.16>
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<b>Name of Lead Officer for Equality Impact Assessment</b>	<b>Date</b>
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**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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Report To: Cabinet  
Date of Meeting: Tuesday 16<sup>th</sup> February 2016  
Lead Member: Cllr Hugh Evans  
Report Author: Rebecca Maxwell  
Title: Rhyl Waterfront Development: project update

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**1. What is the report about?**

This report has been prepared to update Cabinet on progress with the Rhyl Waterfront Development project and seek approval to proceed.

**2. What is the reason for making this report?**

In February 2014, Cabinet agreed to adopt a development partner approach to the regeneration of the Coastal Facilities in Rhyl & Prestatyn. Since then, a revitalised Nova Centre opened in Prestatyn in November 2015 and a market test led to the appointment of a preferred Development Partner, Neptune Developments Ltd, for the Rhyl Waterfront area in February 2015.

Work has progressed with Neptune Developments under an Exclusivity Agreement since February 2015 and proposals are now sufficiently developed to move to a more formal development agreement. This report sets out the terms of that agreement and seeks formal approval to proceed.

**3. What are the Recommendations?**

That Cabinet gives approval to enter into the Overarching Regeneration Agreement on the basis of the funding models set out therein; with each element of the regeneration being phased and subject to further approval (whether by Cabinet or via Delegated Decision dependant on the value) to proceed.

That cabinet approve the establishment of a project budget funded by reallocating existing corporate resources.

**4. Report details**

Denbighshire County Council appointed Neptune Developments Limited (NDL) as preferred development partner to assist the Council in renewing the leisure and facilities offer for the coastal strip of Rhyl. We entered into a period of Exclusivity for all Council owned assets along the coast for the period 1<sup>st</sup> February 2015 – 31<sup>st</sup> January 2016. During this period the Council were unable to enter into discussions with any other potentially interested parties for any of the sites or premises within the scope of the Agreement, without the prior agreement of NDL.

The scheme is currently split into five distinct zones along the Rhyl coast:

1. The Cultural & Hospitality Zone - refurbishment of the Pavilion Theatre, construction of new hotel and family pub/restaurant, demolition of the Sun Centre

and potential replacement with a facility to complement the Pavilion (details of which are still under development).

2. The Active Leisure Zone – creation of new commercial outdoor activities in the area between Memorial Garden and the outdoor Events Arena
3. The Family Entertainment Zone – construction of Town Plaza with high quality public realm and restaurant zone, positioned by the existing cinema and around the Sky Tower, which is proposed for refurbishment as a static light beacon. The proposals for this zone also incorporate revisions to the Children’s Village and Underground Car Park areas.
4. The Aquatic Centre – new leisure facility to replace the former Sun Centre, to be located next to the Family Entertainment Zone.
5. The Town Centre – developments to ensure the regenerated Waterfront links appropriately to the Town Centre to ensure footfall flows into this area.

Cumulatively, these proposals will regenerate the Rhyl Waterfront, adding new attractions, consolidating existing ones and introducing missing commercial elements, all of which it is anticipated will significantly increase footfall in Rhyl – both from visitors but importantly also from Rhyl, Denbighshire and wider North Wales residents. The proposals constitute a key element of the next phase of regeneration work in Rhyl.

A two day exhibition was held by Neptune Developments in the White Rose Centre, Rhyl to allow the general public and local businesses an opportunity to view the proposals and provide comment and feedback. The exhibition was relocated to Rhyl One Stop Shop for a further 14 days to provide additional time for all who had an interest in the proposals to view and comment on them. An online presence was also maintained using a bespoke Website and various social media channels. The public response was overwhelmingly positive to the proposals presented.

As the Exclusivity period has now ended and our shared understanding of the proposals are sufficiently well developed, it is now appropriate to move the project to its next stage. A new agreement – in the form of an umbrella Overarching Regeneration Agreement – is recommended.

The Overarching Regeneration Agreement sets out the terms under which the various elements of the regeneration will proceed. It will lead to Phase Agreements being entered into for the elements that make up the overall Regeneration based on the drawdown of individual sites under site specific development agreements. The Development Agreements will be supported by Phase Business Cases, which will set out the financial viability of each phase of development in order to protect the Council’s financial interest and ensure best value. The first phase is anticipated to be the Cultural & Hospitality Zone.

The Overarching Regeneration Agreement includes specific definitions of how appraisals will be developed, how costs will be apportioned for each individual element of work and the basis on which Neptune Developments will be paid. Professional external advice on both the terms of the Agreement and the basis of fees proposed has confirmed that both are reasonable and that the proposed Agreement appropriately protects the Council’s interests. A summary of the key terms of the Agreement is attached at Appendix 1.

An indicative timeline for delivery of the Rhyl Waterfront redevelopment is attached at Appendix 2.

**5. How does the decision contribute to the Corporate Priorities?**

This project will contribute to the priority in the Corporate Plan 2012-17 to 'Develop the Local Economy'. It is also a key element of the Rhyl Regeneration and Economic & Community Ambition strategies.

Rhyl is recognised as a Strategic Regeneration priority within the Welsh Government's Regeneration Framework, Vibrant & Viable Places.

**6. What will it cost and how will it affect other services?**

The overall scheme cost is currently estimated to be between £25-£30m. The developers have previously modelled cost and funding scenarios that could produce a commercially viable scheme. These models however are indicative and contain numerous assumptions and caveats – not least the range of interdependencies within the models and the cross-subsidy between zones that was assumed. More detailed business cases for each element will be required to assess individual viability and the impact to the overall scheme. These will be developed in due course. The total cost of the scheme could be funded by a combination of government grants, private sector investment and some contribution from the council. This could be in a number of forms, such as revenue to support prudential borrowing, a capital contribution, and/or land/asset transfer. The starting point for the financial appraisal of each individual element of the scheme is that they should not increase costs to the Council. As far as possible, officers are working to avoid ongoing revenue contributions being required. There will be the opportunity to scrutinise proposals before any individual phase of works is approved to ensure ongoing affordability is secured.

By developing the sites, a number of existing cost centre budgets would be redundant and this could provide a revenue funding contribution of approximately £376k toward the scheme. That could be converted to funding borrowing of £5.6m. The developer's original models suggested a funding requirement of £3.5m capital and a possible revenue contribution between £212k-£499k though these were based on the indicative assumptions outlined above.

There is still a considerable amount of work to be done and many decisions yet to be taken but at this stage there is an outline plan that potentially offers a financially viable model.

Resources have so far been allocated from existing Project Management and Valuations & Estates resources, with input as and when required from other relevant services. However, as the project is now developing, a more defined resource will be required in 2016/17 to support on-going project management, legal, property and other specialist advice costs. An estimate of the budget required is £70k-£100k and this can be established by reallocating corporate budgets within the current financial year.

Effects on the environment, biodiversity etc will be scrutinised as the project develops and the individual phases are built up.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report**

Individual Equality Impact Assessments will be undertaken at the appropriate stage and with this a more detailed assessment of the specific impact on protected characteristics undertaken.

**8. What consultations have been carried out with Scrutiny and others?**

A variety of departments from across the Authority are heavily involved in the project i.e. Legal, Finance and Property, and Cabinet Briefing have been updated three times in the past nine months. A joint Rhyl Town Council / Member Area Group have been regularly updated and a public consultation was held in December 2015 and a Statement of Community Engagement produced.

The Coastal Facilities Project Board is overseeing development of the project as a whole and has discussed and agreed this recommendation to Cabinet.

**9. Chief Finance Officer Statement**

The latest agreement will ensure that the financial viability of individual elements of the scheme and the impact on the wider development can be fully assessed and understood before approvals are granted. The developers have modelled a potentially viable scheme but there are a significant number of assumptions and interdependencies within the models that may or may not form part of the final project. The steps being taken will help mitigate the council's exposure to financial risk and help ensure that the council obtains the best value for money on any financial contribution made to the project.

A project budget is required going forward and can be funded from within existing corporate resources.

**10. What risks are there and is there anything we can do to reduce them?**

There are no definite proposals in place or commitments to proceed to development at this stage. When these are firmed up a detailed Risk Register will be produced. Currently the Project Team maintains and reviews the Risk Register for the project.

At this stage the risks are mainly reputational as we have consulted with the public, local businesses and Welsh Government on our proposals. If they weren't to transpire it would be detrimental to the reputation of the Council and our preferred developer.

If we did not proceed with our proposals we would continue to have vacant buildings (Sun Centre, Children's Village units etc) along the Rhyl coast that cost the Council over £200k a year.

**11. Power to make the Decision**

Section 2(1) of the 2000 Local Government Act provides that:

*"Every local authority are to have power to do anything which they consider likely to achieve any one or more of the following objects –*

- (a) the promotion or improvement of the economic well-being of their area;*
- (b) the promotion or improvement of the social well-being of their area; and*

(c) *the promotion or improvement of the environmental well-being of their area."*

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## Appendix 1

### Summary of Heads of Terms relating to the Rhyl Waterfront Overarching Development Agreement

Generally the Heads of Terms provides a comprehensive set of headings for agreement by both parties which will be carried through to the Development Agreement and detailed out to the satisfaction of both parties' legal, financial and property advisers.

1. The Heads of Terms run from 31 / 1 16 and replaces the exclusivity agreement previously entered into by DCC and Neptune Developments Ltd and grants a further period of exclusivity ie Denbighshire will not negotiate with another party.

The overarching development agreement once agreed will commence from a date to be determined.

2. Parties – Denbighshire County Council and Neptune Developments Ltd
3. The Council and Developer seek to achieve a comprehensive redevelopment of the “Core area” – essentially the Rhyl Waterfront but with the potential by agreement to expand into an extended development area within the Town Centre.
4. The Heads of Terms propose that the Council and developer enter into an “Overarching Development Agreement” with the facility for individual phases to be entered into (denoted at Section 6 below ) provided that all necessary conditions are met and the Financial Appraisal for each phase proves viable.
5. The Development Agreement will set out all the relevant mechanisms for project delivery including;
  - a. Costs
  - b. Developer / Council Returns
  - c. Land values
  - d. Overage ( if applicable )
6. Phasing – the Heads of Terms and Development Agreement set out the relevant project delivery phases;
  - a. Hospitality
  - b. Cinema / Children’s Village
  - c. Aquatics
  - d. Active leisure
7. Conditionality – there are 3 sets of conditions which need to satisfied by both parties;
  - a. Primary Conditions:
    - Agreement of master plan
    - General Appraisal for master plan

- Any Council Authority required
  - Submission of Planning Application
  - Agreed target and longstop dates
- b. General Phase Conditions:
- Detailed phase financial appraisal
  - Approval of phase proposal
  - Detailed delivery phase programme
  - Individual Phase agreement by both parties
  - Council to satisfy developer that it can input land and resolve any title matters arising
- c. Phase Specific Agreements ( where required )
- Aquatic Zone agreement
  - Management agreement ( if needed)
  - Lease / Licences / land transfers required
8. Definition of Development Costs – listed out and agreed ( with precise definitions to be included and agreed in the Development Agreement ).
9. VAT Conditions
10. Variations – how they are put forward, resolved and agreed between the parties.
11. Procurement issues – the Developer commits to an OJEU compliant process for the appointment of Design Team and Contractors plus the form of contract ( Industry Standard JCT 2011)
- In addition the Contractor will enter into a direct agreement with the Council where required for the purpose of warranties.
12. Commitment to collaborate – binding on both parties
13. Confidentiality – relating to Press and Freedom of Information requests requiring the agreement by both parties
14. Service of Notices – registered addresses and responsible officers of Council and developer.



# Timeline

		2016												2017												2018											
		Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
Heads of Terms (for an Umbrella Development Agreement)																																					
Umbrella Development Agreement																																					
SAP 07 page 113	Cultural & Hospitality zone				☆	✓				★																											
	Underground Car Park and Fun Fair						✓	☆			★																										
	Active Leisure zone						✓	☆			★																										
	Aquatic Centre										✓			☆																							
	Town Plaza and restaurants										✓			☆																							

	Pre work
	On site

✓	Phase Agreement in place
Each Phase Agreement will need to be approved by Cabinet	

☆	Planning application submitted
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★	Planning application approved
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# Rhyl Waterfront Development 16 February 2016

Equality Impact Assessment

# Rhyl Waterfront Development

**Contact:** Russell Vaughan

**Updated:** 16.02.16

## 1. What type of proposal / decision is being assessed?

A project proposal

## 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The Rhyl Waterfront Development project is a major investment and development programme for the regeneration of the leisure facilities on the Rhyl coast- from the Skate Park/Sky Tower to the Pavilion Theatre car park. This will have a major impact on the local community and visitors as a number of new facilities will be created or current facilities redeveloped in the town.

## 3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes

## 4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

*(Please refer to section 1 in the toolkit for guidance)*

The Rhyl Waterfront Development project has been the subject of extensive consultation with Member Area Groups and Town Councils, including external consultation with swimming groups about pool design options. The projects have individually arisen from a process of extensive reviews over a number of years as well as feasibility research in order to determine need. All individual projects emerging from the feasibility will have their own consultation strategy as well as being subject to Planning and Building Standards.

A two day exhibition was held in the White Rose Centre Rhyl to give the general public and local businesses the opportunity to view the proposals and feedback. The exhibition was then relocated to the One Stop Shop to extend the timeframe and ensure all who had an interest had the opportunity to view and comment on

the proposals. These were also available via a number of other channels such as a bespoke Website, Facebook, Twitter and Instagram. The draft statement of community engagement is attached (Appendix 1).

- 5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**  
*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

The projects aim to be at the heart of the regeneration of the area and address economic, social and physical decline and as such should have a positive impact on some of the protected characteristics.  
Projects led by Denbighshire County Council will be developed and delivered in accordance with Denbighshire's Corporate Project Management methodology; as these projects and initiatives are developed a specific Equality Impact Assessment will be undertaken at the appropriate stage and with this a more detailed assessment of the specific impact on protected characteristics undertaken.

- 6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

The projects aim to be at the heart of the regeneration of the area and address economic, social and physical decline and as such should have a positive impact on some of the protected characteristics.  
Projects led by Denbighshire County Council will be developed and delivered in accordance with Denbighshire's Corporate Project Management methodology; as these projects and initiatives are developed a specific Equality Impact Assessment will be undertaken at the appropriate stage and with this a more detailed assessment of the specific impact on protected characteristics undertaken.

- 7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

No

There is no evidence of any negative impact at this stage in the projects' development.

**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

Yes	<If yes please complete the table below. If no, please explain here>
-----	--

Action(s)	Owner	By when?
Individual Equality Impact Assessments will be undertaken at the appropriate stage and with this a more detailed assessment of the specific impact on protected characteristics undertaken.	Russell Vaughan	31.12.16
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

**9. Declaration**

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	16.02.16
--------------	----------

Name of Lead Officer for Equality Impact Assessment	Date
Russell Vaughan	16.02.16

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

**Report To: Cabinet**

**Date of Meeting: 16 February 2016**

**Lead Member/Officer: Julian Thompson-Hill/Richard Weigh**

**Report Author: Richard Weigh**

**Title: Recommendations of the Strategic Investment Group**

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**1. What is the report about?**

Block Allocation capital bids received for inclusion in the 2016/17 Capital Plan.

**2. What is the reason for making this report?**

- 2.1 The Strategic Investment Group, which includes representatives from the three scrutiny committees, has met on a number of occasions to consider bids prepared by each department.

**3. What are the Recommendations?**

That Cabinet supports the projects shown in Appendix 1 for inclusion in the 2016/17 capital plan, and recommends accordingly to full Council.

**4. Report details**

- 4.1 The Welsh Government's capital settlement for 2016/17 is in line with that for 2015/16 and continues the recent flat capital settlements.
- 4.2 With the continued lack of growth in capital investment from the Welsh Government, the Council has no choice but to rely on its own resources to invest in key projects. This means either selling assets to generate receipts or using Prudential Borrowing.
- 4.3 The Council is aiming to dispose of a number of sites over the next three years. The total available funding in 2016/17 includes £871k from assets that are currently proceeding to disposal, and are anticipated to be completed by March 2016 and £138k from assets that are anticipated to proceed to disposal during 2016/17. The allocation of these funds to schemes is provisional until the funds are received from disposals.

4.4 The available funding for 2016/17 is shown below:

<b>Source</b>	<b>Amount £000</b>
General Capital Grant	1,842
Un-hypothecated Supported Borrowing	3,026
Prudential Borrowing - Highways	2,776
Capital Receipts	888
Future Capital Receipts – Disposal of assets on-going	1,009
Unspent Contingency b/f	500
In Year Revenue Contribution	1,500
<b>Total Funds Available 2016/17</b>	<b>11,541</b>

4.5 The Capital Plan spends money on two types of project. Firstly there are one-off projects such as a new school or refurbishment of a leisure centre, the second type of expenditure is a 'block allocation'. These are ongoing programmes of work that stretch over several years (and may never be complete) e.g. schools maintenance. Elements of this work may be paid for from repair and maintenance budgets but a significant part is funded through the capital plan.

#### **Recommendations of the Strategic Investment Group**

4.6 The Strategic Investment Group decided to invite bids in line with previously agreed block allocations from departments. The Strategic Investment Group has reviewed 11 bids over a number of meetings.

4.7 Each bid was submitted with approval of the relevant head of service.

- It is proposed to allocate £1.5m in support of Private Sector Housing Assistance. The funding will be used in the main on the provision of Disabled Facilities Grants.
- An allocation of £220k is recommended for Minor Adaptations, Community Equipment and Telecare. This funding is targeted at enabling the elderly and disabled to remain in their own homes.
- It is proposed to allocate £140k to the Agricultural Estate to support the rationalisation of the estate and address Health and Safety issues. This allocation is provisional, subject to disposal of assets.
- Both the school and non-school capital maintenance bids include provision for essential maintenance such as Asbestos Removal, Fire Risk Assessment Work, DDA etc. It is recommended that £2.070m be allocated to Schools Capital Maintenance Works. Of this, £519k will be



provisional, subject to disposal of assets. It is also proposed to allocate £800k to non schools capital maintenance work. Of this, £350k will be provisional, subject to disposal of assets. It is further recommended that the appropriate Heads of Service determine the precise allocations to the specific works required, in order of priority.

- Highways have received £150k to support prudential borrowing as part of the revenue budget for 2016/17. This will allow approximately £2.550m of capital expenditure. In addition to this, it is proposed to allocate £1m block allocation for structural and other repairs including highway maintenance, street lighting and bridges. Furthermore, it is proposed to allocate £2,535k as match funding to support a grant submission for £7,605k to the Welsh Government in relation to coastal flood risk improvement works at East Rhyl.
- The Strategic Investment Group considered a proposal for the continuation of a six year programme of replacement of all the street lighting lanterns within Denbighshire with new LED lanterns. The programme commenced in 2015/16 and will cost £1.5m in total, providing significant savings on energy costs and on-going maintenance costs. The scheme is funded through the Government Salix funding initiative which provides interest free loans for energy efficient projects and will be repaid using the savings generated. The costings within the bid have been agreed with Finance. Applications for Salix funding are required on an annual basis, and the Strategic Investment Group recommends the submission of an application to take out a Salix loan for year two costs of £226k repayable over 6 years.
- The Strategic Investment Group recommends maintaining the allocation set aside for any contingencies at £0.5m, in line with 2015/16.

4.8 Appendix 1 shows the projects listed with recommended funding for each. Each project that is being recommended for approval is shown under a different column in the appendix:

- PB Highways – £2.776m. This is £2.550m prudential borrowing to be supported from the revenue budget as approved by Council on 26th January 2016, together with proposed £226k application for Salix funding.
- Council Funds – These are funds such as general grants, capital receipts, and unspent contingency. This funding includes £1.5m available following a review of corporate contingencies and provisions. Further detail on this is included within the Finance Report on this agenda.

4.9 The membership of the Strategic Investment Group is as follows:

- Cabinet Member – Lead Member for Finance, Corporate Plan & Performance
- Cabinet Member – Leader of the Council and Lead Member for the Economy
- Cabinet Member – Lead Member for Modernising and Housing
- Representative from each Scrutiny Committee
- Corporate Director – Economy and Public Realm
- Chief Finance Officer/S .151 Officer
- Manager – Corporate Programme office

## **5. How does the decision contribute to the Corporate Priorities?**

Projects have been reviewed to ensure that they satisfy the Council's corporate objectives.

## **6. What will it cost and how will it affect other services?**

### **6.1 Cost Implications**

The costs of the schemes are shown in Appendix 1. The Prudential Borrowing costs will be met through the 2016/17 revenue budget.

### **6.2 Staffing/IT/Accommodation Implications**

Each new project is required to complete a Project Proposal or Business Case form and any specific implications are discussed at that stage.

### **6.3 Assessment of Impact on Climate Change – Mitigation and Adaptation:**

New capital projects are subject to scrutiny by the Strategic Investment Group. Each business case will show, where relevant carbon tonne emission pre and post project, thus identifying whether the project is carbon emission positive, negative or neutral. In addition, it is necessary to ensure new capital projects are future proof and able to adapt to climate change.

Increases/decreases in the usage of IT equipment will impact on electricity costs and carbon cost.

## **7. What are the main conclusions of the Equality Impact Assessment undertaken on the decision?**

The allocations proposed for each project will be reassessed before commencement to confirm there is no significant impact. The EqIA process is integrated into all bids for capital projects.

**8. What consultations have been carried out with Scrutiny and others?**

Heads of Service approved the submission of the bids. Representatives of Cabinet and Scrutiny committees have been involved in the process.

All members have been informed of the bids, with hard copies of bids available to view within the Members room, County Hall, Ruthin and project bids available to view on Mod.Gov.

**9. Chief Finance Officer Statement**

The Council must continue to invest appropriately in its assets. Not to do so can incur more significant costs in the long term. With the continuing reduction in the real value of Welsh Government supported borrowing, the Council must rely on its own resources more and more.

**10. What risks are there and is there anything we can do to reduce them?**

**10.1 Risks associated with not agreeing the recommendations**

Possible risks would include schemes not progressing, loss of grant and disruptions to services. The condition of assets would continue to deteriorate if investment is not made, and this may lead to the loss of important services.

**10.2 Risk associated with agreeing the recommendations**

No capital project is without risk. However all schemes are reviewed by the Strategic Investment Group and are also subject to on-going monthly monitoring and reporting.

**11. Power to make the Decision**

Local Authorities are required under section 151 of the Local Government Act (1972) to make arrangements for the proper administration of their financial affairs.

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2016/17 Capital Bids - Proposed Block Allocations

APPENDIX 1

Ref	Project Name	Head of Service	Total Project Cost £000	Capital Plan Requirement 2016/17 £000	P B Highways £000	Council Funds £000	Subject to Capital Receipts 15/16 £000	Subject to Capital Receipts 16/17 £000	TOTAL 2016/17 £000	Brief Description
A01	Private Sector Housing Assistance	Graham Boase	2,172	1,500		1,500			1,500	Housing Improvement works to private sector dwellings
A02	Minor Adaptations; Community Equipment, Telecare	Phil Gilroy	220	220		220			220	Minor Adaptations and Equipment
A03	Agricultural Estate Capital Works	Jamie Groves	331	331			140		140	Improvement works for the estate
A04	Schools Capital Maintenance Works	Jamie Groves	9,817	6,730		1,551	431	88	2,070	Works to a range of work streams in schools
A05	Non School Public Buildings Capital Maintenance Works	Jamie Groves	6,806	6,806		450	300	50	800	Works to a range of work streams for Public Buildings
A06/A07/A08/A09	Highways works	Steve Parker	3,655	3,550	2,550	1,000			3,550	Improvements to roads and bridges, Street Lighting and Road Safety
A10	Sustainable LED Lighting (Salix)	Steve Parker	1,131	226	226				226	Application for loan to Salix to replace street lighting lanterns - see Note 1
A11	East Rhyl Coastal Defence Scheme	Steve Parker	10,140	2,535		2,535			2,535	Coastal flood risk improvement works at East Rhyl
	Capital Contingency					500			500	
	<b>TOTALS</b>		<b>34,272</b>	<b>21,898</b>	<b>2,776</b>	<b>7,756</b>	<b>871</b>	<b>138</b>	<b>11,541</b>	

For Information Only:

Note 1 Sustainable LED Lighting (Salix) - Application for loan from Government funded Salix initiative

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<b>Report To:</b>	<b>Cabinet</b>
<b>Date of Meeting:</b>	<b>16 February 2016</b>
<b>Lead Member / Officer:</b>	<b>Councillor Julian Thompson-Hill / Richard Weigh</b>
<b>Report Author:</b>	<b>Geoff Davies Lead Officer – Community Housing / Richard Weigh, Chief Finance Officer.</b>
<b>Title:</b>	<b>Housing Rent Setting &amp; Housing Revenue and Capital Budgets 2016/17</b>

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## **1. What is the report about?**

To seek approval from Cabinet for the proposed rent increase for council housing and to approve the Housing Revenue Account Capital and Revenue Budgets for 2016/17

## **2. What is the reason for making this report?**

It is a statutory requirement to set budgets and rent levels before the start of the new financial year and the budget must be consistent with the assumptions within the Housing Stock Business Plan (HSBP) which has been designed to maintain Welsh Housing Quality Standard throughout the 30 year business plan.

## **3. What are the Recommendations?**

That the Housing Revenue Account Budget for 2016/17 (Appendix 1) and the Housing Stock Business Plan (Appendix 2) be adopted.

That rents for Council dwellings be increased in accordance with the Welsh Government Policy for Social Housing Rents introduced in April 2015 to an average weekly rent of £77.74 with effect from Monday 4th April 2016.

That rents for Council garages be increased in line with the increase in rents for Council dwellings to £6.68 for Council Tenants & £8.02 for other Tenants per week.

## **4. Report details.**

The latest forecast outturn for 2015/16 is detailed in Appendix 1, in line with the monthly monitoring report. Balances, at year end, are forecast to be £2,021,480.

The proposed budget for 2016/17 is also detailed in Appendix 1. The budget has been calculated on the following assumptions.

The income level assumptions allow us to ensure we can effectively manage our supervision and management costs and repair and maintenance commitments whilst allowing us to increase and improve stock through a well-managed capital programme.

Income collection management in housing services continues to be high performing and amongst the best in Wales and ensure that tenants can meet their weekly commitments however assumptions have been made to protect the council through prudent bad debt provision.

Five Right to Buy (RTB) Sales have been made to date in 2015/16. One RTB sale per annum has been forecast for subsequent years however this will be reviewed each year as part of the business planning process. The Business plan has been tested with the assumption of no sales and there is no detrimental effect on the plan.

Welsh Government developed a policy for social housing rents that will be applied consistently by all social landlords and reflect the type, size, location and quality of the Landlord's properties.

The mechanism for uplifting rents is now based on the following:

- Between 2015/16 and 2018/19, the annual uplift is CPI plus 1.5%, plus up to £2 per week for individual tenants, where a landlord is seeking to bring its average weekly rent within the 'target rent band' – target rent is the Government's calculation of what average rents for housing association and council tenants should be
- The only exception to this will be where CPI falls outside a range of between 0% and 4%. Where this occurs, a Ministerial decision will be required on the level of rent increase to be applied in that year

In December 2015 the Welsh Government confirmed the uplift as previously agreed. This means that the rent uplift is 1.4% (CPI+1.5% plus £2)

By adopting the Welsh Government policy, the council will be able to maintain the momentum around increasing and improving its stock through investment in our homes and the environment of our neighbourhoods, through acquisition of land and homes and partnerships with RSL's and developers to provide more homes to meet need.

Comparative rent levels are detailed below along with the Council's target rent bands:

	2015/16	2016/17
Average Weekly rent (from the previous year)	£71.01	£75.16
Plus: Uplift (CPI + 1.5%)	£1.99	£1.05
Adjusted Average Weekly rent	£72.93	£76.22
Plus: £2 uplift if below Target rent	£2.00	£1.53
Average Weekly Rent	£74.93	£77.74



	Target Rent 2015/16	Target Rent 2016/17
Low End	£76.60	£77.31
Mid Point	£80.63	£81.38
High End	£84.86	£85.45

- 78% of tenants will have the % uplift plus the maximum £2 charge
- 7% of tenants will have the % uplift plus an additional uplift lower than the £2 charge as this brings them up to target rent level.
- 15% of tenants will be at target rent with % uplift only.

### **Housing Stock Business Plan (HSBP)**

As part of the budget process it is necessary to review the Housing Stock Business Plan and this is achieved through a due diligence exercise on an annual basis to review the assumptions used and to validate the robustness of the financial model. In addition the review undertakes a sensitivity analysis.

A new HSBP has been developed to incorporate the removal of the HRAS system and the rent policy. A loan of £40m to fund the Council's settlement figure (to buy itself out of the HRAS system) has been included in the HSBP. The Business Plan remains both viable and robust and the assumptions made are prudent.

### **Service Charges**

Service chargeable income remains consistent with last year although individual properties may be subject to a varied charge.

### **Garages**

Rents for garages shall increase in line with increases in rents on Council dwellings for the business plan to £6.68 for Council Tenants & £8.02 for other Tenants per week.

### **Heating Charges**

Energy prices generally remain low with no immediate signs of upward movement, and to date expenditure on gas is being fully recovered from tenants, therefore it is recommended that heating costs do not increase in 2016/17.

### **Welsh Housing Quality Standard**

The Council achieved the Welsh Housing Quality Standard to all the Housing Stock in September 2014. Capital spend has been included in the HSBP which maintains this standard over the 30 year plan.

The stock condition survey has identified repairs, maintenance and improvement costs for the next 30 years which have subsequently been built into the business plan and shall inform the developing asset management plan.

## **5. How does the decision contribute to the Corporate Priorities?**

The provision of good quality housing is a Corporate Priority and the 5 year capital program will provide a boost to the local economy by maximizing the local employment, training and supply chain opportunities for local people and businesses.

## **6. What will it cost and how will it affect other services?**

The Housing Revenue Account is ring fenced and costs of implementation are covered by the increased income through rents.

## **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision**

The Council appreciates that any increase in weekly rent could have an impact on some of our customers' ability to meet their weekly commitments. The Income Collection service will continue to offer advice and support to all customers to ensure that customers can manage their finances effectively and maximise their income.

## **8. What consultations have been carried out?**

The Denbighshire Tenants and Residents Federation (DTARF) have been consulted and the reason for the rent increase and the impact on the HRA business plan has been fully explained to the group.

It is noted that feedback from customers in the STAR survey in 2015 returned high levels of satisfaction with rent and service charge value for money.

The outcomes were as follows:

- 96% were satisfied that their rent provides value for money
- 94% were satisfied that their service charge provides value for money

## **9. Chief Finance Officer Statement**

A recent review of the Housing Stock Business Plan (HSBP) shows that the Plan remains robust and financially viable. There are sufficient resources to meet the investment needs of the stock. Following exit from the HRAS a settlement figure of £40m has been included in the HSBP.

## **10. What risks are there and is there anything we can do to reduce them?**

Failure to follow the Housing Stock Business Plan and to set budgets could lead to financial problems and potential intervention by Welsh Government.

## **11. Power to make the Decision**

Rent policy is determined by the Housing (Wales) Act 2014. The Housing Revenue Account is ring-fenced by statute.

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APPENDIX ONE

<b>Housing Revenue Account ~ 2016/17 Budget</b>				
<b>2014/15 Final Outturn</b>	<b>Latest Forecast 2015/2016</b>	<b>2015/16</b>		<b>2016/2017</b>
		<b>Budget</b>	<b>Forecast Out-turn</b>	<b>Proposed Budget</b>
<b>£</b>	<b>EXPENDITURE</b>	<b>£</b>	<b>£</b>	<b>£</b>
2,027,515	Supervision & Management - General	2,331,072	2,335,042	2,418,597
318,304	Supervision & Management - Service Charges	390,064	419,271	427,271
64,032	Welfare Services	0	0	0
2,930,978	Repairs and Maintenance	3,133,177	3,133,177	3,191,157
<b>5,340,829</b>	<b>Total Housing Management</b>	<b>5,854,313</b>	<b>5,887,490</b>	<b>6,037,025</b>
3,023,216	Item 8 Capital Charges	4,915,905	5,883,577	6,016,334
893,193	Capital Funded from Revenue	2,672,541	1,672,541	1,821,480
3,218,765	Subsidy	0	0	0
54,093	Provision for Bad Debts	132,905	132,905	134,050
<b>12,530,096</b>	<b>Total Expenditure</b>	<b>13,575,664</b>	<b>13,576,513</b>	<b>14,008,889</b>
	<b>INCOME</b>			
12,928,699	Rents (net of voids)	13,188,855	13,228,088	13,734,736
0	Service Charges	342,541	341,748	342,888
159,737	Garages	171,987	166,724	178,439
6,078	Interest on Balances & Other Income	10,955	9,992	10,100
<b>13,094,514</b>	<b>Total Income</b>	<b>13,714,338</b>	<b>13,746,552</b>	<b>14,266,163</b>
	<b>Surplus / Deficit (-) for the Year:</b>			
<b>1,457,611</b>	<b>General Balances</b>	<b>2,811,215</b>	<b>1,842,580</b>	<b>2,078,754</b>
1,287,023	Balance as at start of year ~ General	1,851,441	1,851,441	2,021,480
<b>-893,193</b>	<b>Earmarked Balances</b>	<b>-2,672,541</b>	<b>-1,672,541</b>	<b>-1,821,480</b>
1,851,441	Balance as at end of year ~ General	1,990,115	2,021,480	<b>2,278,754</b>

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APPENDIX TWO		HOUSING STOCK BUSINESS PLAN				
SUMMARY	0	1	2	3	4	
	2015/16	2016/17	2017/18	2018/19	2019/20	
<b>CAPITAL EXPENDITURE</b>		<b>M9</b>				
Planned Improvements	£4,923,543	£7,929,872	£5,859,718	£6,589,280	£7,368,154	
New Build Construction	£353,415	£3,827,962	£3,592,401	£3,664,249	£3,737,534	
New Build Major Repairs	£0	£10,031	£17,992	£26,423	£35,344	
	£5,276,958	£11,767,865	£9,470,112	£10,279,953	£11,141,033	
<b>CAPITAL FUNDING</b>						
Major Repairs Allowance	£2,410,000	£2,410,000	£2,410,000	£2,410,000	£2,410,000	
Usable Capital Receipts	£68,500	£22,644	£23,310	£23,993	£24,693	
Capital Funded From Revenue	£1,672,541	£1,821,480	£1,428,755	£1,824,857	£1,866,987	
Assumed External Funding	£0	£0	£718,480	£732,850	£747,507	
Prudential Borrowing	£1,125,917	£7,513,740	£4,889,567	£5,288,253	£6,091,846	
	£5,276,958	£11,767,865	£9,470,112	£10,279,953	£11,141,033	
<b>REVENUE EXPENDITURE</b>						
Management – General	£2,335,042	£2,399,707	£2,466,052	£2,534,119	£2,603,951	
Management - New Build	£0	£18,890	£34,050	£50,102	£67,086	
Service Chargeable Costs	£419,271	£423,464	£427,698	£431,975	£436,295	
Special Management: New Build	£0	£3,807	£6,862	£10,097	£13,520	
Repairs & Maintenance	£3,133,177	£3,164,509	£3,196,154	£3,228,115	£3,260,397	
Maintenance: New Build	£0	£26,648	£48,033	£70,678	£94,637	
Capital Funded From Revenue	£1,672,541	£1,821,480	£1,428,755	£1,824,857	£1,866,987	
Provision for Bad Debts	£132,905	£134,050	£134,867	£135,903	£137,680	
Capital Financing Costs	£5,883,577	£6,016,334	£6,562,055	£6,904,700	£7,284,875	
	£13,576,513	£14,008,889	£14,304,526	£15,190,545	£15,765,427	
<b>REVENUE INCOME</b>						
Rental Income: existing stock	£13,228,088	£13,619,893	£13,946,816	£14,361,020	£15,071,899	
Rental Income: new build	£0	£114,843	£210,311	£315,338	£430,498	
Service Charges: existing stock	£341,748	£339,118	£342,509	£345,934	£349,394	
Service Charges: new build	£0	£3,770	£6,729	£9,806	£13,002	
Garage Income	£166,724	£178,439	£182,775	£188,259	£193,906	
Interest on Balances	£9,992	£10,100	£11,487	£12,318	£12,910	
	£13,746,552	£14,266,163	£14,700,628	£15,232,675	£16,071,609	
<b>BALANCES</b>						
Balance brought forward	£1,851,441	£2,021,480	£2,278,755	£2,674,857	£2,716,987	
Surplus / Deficit (-) For Year	£170,039	£257,274	£396,102	£42,130	£306,182	
Balance carried forward	£2,021,480	£2,278,755	£2,674,857	£2,716,987	£3,023,169	

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**Report To:** Cabinet

**Date of Meeting:** 16th February 2016

**Lead Member / Officer:** Councillor Barbara Smith/Councillor Hugh Irving/Angela Loftus

**Report Author:** Sue Lewis/Angela Loftus

**Title:** Update on the Gypsy and Traveller Accommodation Assessment

## 1. What is the report about?

- 1.1. The report outlines the findings of the 2016 Gypsy Traveller Accommodation Assessment for Denbighshire which considers the potential future need for both residential and transit Gypsy and Traveller Accommodation Provision.

## 2. What is the reason for making this report?

- 2.1 To present the conclusions of the draft Gypsy and Traveller Accommodation Assessment 2016. The Assessment must be submitted to Welsh Government by 26<sup>th</sup> February 2016. The draft Denbighshire 2016 Gypsy Traveller Accommodation Assessment report is attached as Appendix 1.

## 3. What are the Recommendations?

- 3.1 The recommendations are:
- To consider the report and approve submission of the Gypsy and Traveller Accommodation Assessment to Welsh Government
  - To approve utilising a regional approach to the search for sites to meet any future provision required.

## 4. Report details

- 4.1 The assessment of Gypsy and Traveller accommodation needs and the duty to make provision for sites where the assessment identifies need, is a statutory requirement under the Housing (Wales) Act 2014. The key difference compared to previous legislation is that the duty is now to assess any need **and** meet any need identified.
- 4.2 All Local Authorities are required to undertake an up-to-date assessment by 26th February 2016 and every 5 years thereafter. The 2015-16 assessment has been conducted jointly with Conwy County Borough Council although separate documents will be submitted by each authority. This collaborative approach follows the recommendations of the previous assessment (2013) which called for a shared transit site for the two authorities as a high proportion of unauthorised encampments occur in the north of the County in the border area.

- 4.3 The overall aim of the Gypsy and Traveller Accommodation Assessment study is to assess if there is a need to provide further accommodation for Gypsies and Travellers within the study area and, if so, how it should be provided to best meet the needs of the Gypsy and Traveller community.
- 4.4 The definition of 'Gypsies and Travellers' for the purposes of this accommodation assessment process is contained within section 108 of the Housing (Wales) Act 2014. Gypsies and Travellers are defined as:
- (a) Persons of a nomadic habit of life, whatever their race or origin, including: persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently;
  - (b) members of an organized group of travelling show people or circus people (whether or not travelling together as such); and
  - (c) all other persons with a cultural tradition of nomadism or of living in a mobile home."
- 4.7 An understanding of Gypsy and Traveller accommodation issues is essential to make properly planned provision and avoid the problems associated with ad hoc or unauthorised provision. A comprehensive accommodation assessment and strategy to meet the need which is identified will greatly strengthen the ability of Local Authorities to respond swiftly and firmly to inappropriate unauthorised developments and encampments. Denbighshire does not currently have any authorised sites for gypsies and travellers.
- 4.8 A previous assessment was completed in March 2013 on a North West Wales Regional basis and was undertaken by Bangor University. The previous assessment identified:
- a need for 2 residential pitches in Denbighshire for the period up to 2016
  - a need for a transit site on the border of Conwy and Denbighshire.
- 4.10 The 2016 study used a wide range of methods to engage with this hard-to-reach group. It initially consisted of gathering data from a number of sources including the 2011 Census, education & Betsi Cadwaladr University Health Board. The study was publicised to ensure that the travelling community were aware of the study and were encouraged to participate. Fieldwork and data collection for the survey was undertaken by Opinion Research Services on behalf of Denbighshire County Council and Conwy County Borough Council. Gypsy and Traveller households who had been identified were interviewed by ORS fieldworkers to assess their needs. Chapter 3 of the report provides further details on the methodology used.
- 4.11 The 2016 Gypsy Traveller Accommodation Needs Assessment has revealed the following:
- There is a clear need for a transit site(s) or stopping place given the incidence of unauthorised encampments

- Two gypsy households who currently live in houses (bricks and mortar) have expressed a preference to live on a site. In terms of housing needs they do not appear to be showing evidence of immediate need but would like gypsy/ traveller site provision.

4.12 Once approved by Cabinet, the Denbighshire 2016 Gypsy Traveller Accommodation Assessment Report will be submitted to Welsh Government. The report concludes that there is a need for a transit site or stopping place in the north of the County and under the provisions of the Housing (Wales) Act, the Council will be required to address this need.

4.13 The need for any future provision of sites is a regional issue given the movement of Gypsies and Travellers in North Wales and the limited Welsh Government funding available for sites. New guidance from Welsh Government on Gypsy and Traveller Site Capital Grant specifies “You are encouraged to consider a regional approach in relation to the development of new Gypsy and Traveller transit sites” (page 7). A regional approach to site identification is the best way forward and Members are requested to support this proposal.

**5. How does the decision contribute to the Corporate Priorities?**

The relevant Corporate Priorities are:

- Vulnerable people are protected and are able to live as independently as possible
- Ensuring access to quality housing.

**6. What will it cost and how will it affect other services?**

The cost of the Gypsy and Traveller Accommodation Assessment is being shared with Conwy County Borough Council and has been factored into existing budgets. Further investigation will be needed into any costs once a decision is made about whether there is a need or not in terms of gypsy and traveller provision. Local Authorities can potentially access funding from the Welsh Government towards the cost of developing new Gypsy and Traveller sites if necessary.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report**

An EqIA is not considered necessary for this decision. The report relates to a technical assessment and does not propose new procedures or policies.

**8. What consultations have been carried out with Scrutiny and others?**

Consultation has been undertaken through a range of methods:

- Regularly discussed at the Lead Officers Group
- Discussed at North Wales Gypsy & Traveller Co-ordination meetings (includes representatives from Welsh Government, Local Authorities, Police and Betsi Cadwaladr University Health Board)
- Notification sent to all Councillors to inform them of the Gypsy and Traveller Accommodation Assessment and request for any information to inform the study

- Discussed as part of the Housing Strategy, including Council on 1<sup>st</sup> December 2016
- Gypsy Traveller Accommodation Assessment Joint Steering Group meeting
- Adverts aiming to raise awareness of the assessment work with gypsies and travellers placed in Traveller Times and other publications by Opinion Research Services and Welsh Government
- Interviews undertaken with Gypsies and Travellers by Opinion Research Services.

## **9. Chief Finance Officer Statement**

Denbighshire's share of the costs of the Gypsy and Traveller Accommodation Assessment will be contained within existing revenue budgets in the current financial year. If, in due course it is determined that there is a need to make gypsy and traveller provision then the funding of any costs of doing so will need to be identified and agreed by the Council.

## **10. What risks are there and is there anything we can do to reduce them?**

- 10.1 Unlawful encampments on Council and private land will continue if the housing needs of Gypsies and Travellers are not met. Resolving such unlawful encampments will inevitably result in costs for the authority. Provision for transit accommodation would help to address this issue.
- 10.2 The two households referred to above who have expressed a preference for living on a permanent site could challenge the Council for not providing a permanent gypsy and traveller site. However, these households have not demonstrated evidence of immediate housing need.

## **11. Power to make the Decision**

Housing (Wales) Act 2014 – part 3

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A  
of the Local Government Act 1972.

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Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
<b>29 March</b>	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Corporate Plan Performance Report 2015/16 Q3	To consider progress against the Corporate Plan	Tbc	Cllr Julian Thompson-Hill / Liz Grieve
	3	Corporate Plan Projects – Progress Report	To consider progress made on projects in the Corporate Plan	Tbc	Cllr Julian Thompson-Hill / Liz Grieve / Sian Owen
	4	Former North Wales Hospital, Denbigh - Compulsory Purchase Order	Authorisation to take possession of the site	Yes	Councillor David Smith / Graham Boase / Gareth Roberts
	5	Officers Scheme of Delegation	To approve amendments to the scheme	Yes	Cllr Barbara Smith/Gary Williams/Lisa Jones
	6	Proposed Lease of Ty Nant, Prestatyn to Betsi Cadwaladr University Health Board	To approve grant of the lease to BCUHB for a new primary care centre	Yes	Cllr Julian Thompson-Hill / David Mathews
	7	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
<b>26 April</b>	1	Finance Report	To update Cabinet on the	Tbc	Councillor Julian

Cabinet Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			current financial position of the Council		Thompson-Hill / Richard Weigh
	2	Future of Adult Provider Services	To consider the future of adult provider services.	Yes	Cllr Bobby Feeley / Phil Gilroy / Holly Evans
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
<b>24 May</b>	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
<b>28 June</b>	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
<b>26 July</b>	1	Finance Report	To update Cabinet on the current financial position of	Tbc	Councillor Julian Thompson-Hill /



Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			the Council		Richard Weigh
	2	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator

Note for officers – Cabinet Report Deadlines

<i>Meeting</i>	<b>Deadline</b>	<i>Meeting</i>	<b>Deadline</b>	<i>Meeting</i>	<b>Deadline</b>
<i>March</i>	<b>11 March</b>	<i>April</i>	<b>12 April</b>	<i>May</i>	<b>10 May</b>

Updated 04/02/16 - KEJ

Cabinet Forward Work Programme.doc

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