

<b>Report To:</b>	<b>Cabinet</b>
<b>Date of Meeting:</b>	<b>15<sup>th</sup> November 2016</b>
<b>Lead Member / Officer:</b>	<b>Councillor Eryl Williams, Lead Member for Education</b>
<b>Report Author:</b>	<b>Head of Education and Children's Services</b>
<b>Title:</b>	<b>Review of Ysgol Llanfair and Ysgol Pentrecelyn</b>

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

This report provides information to Cabinet regarding the way forward in respect of Ysgol Llanfair DC and Ysgol Pentrecelyn.

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

This report seeks Cabinet's approval of the way forward for both schools.

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

- 3.1. Cabinet agrees for officers to develop the business case for a replacement building for Ysgol Llanfair DC.
- 3.2. Cabinet agrees to maintain the status quo with regards to Ysgol Pentrecelyn.

### **4. Report Details:**

- 4.1 In November 2012 Denbighshire County Council's Cabinet approved the commencement of an informal consultation on the future of primary education in the Ruthin area. The informal consultation document highlighted a number of issues that needed to be addressed to achieve long term sustainability and improved educational provision. These included;
  - a. Sustainability of Schools and High Quality Provision
  - b. Surplus Places
  - c. Condition and Suitability of school buildings (incl. use of mobile accommodation)
  - d. Recruitment of Head Teachers
  - e. Demand for Welsh Medium Education
- 4.2 In January 2015, Cabinet agreed to go out to consultation on the proposed closure of Ysgol Llanfair DC and Ysgol Pentrecelyn and the opening of a new Category 2 Voluntary Controlled school. The school organisation process was completed in October 2015, with the intention being for the new area school to be based initially on the existing school sites opening as of 1<sup>st</sup> September 2017, below shows the Cabinet minutes from the meeting

**"RESOLVED** that Cabinet –

- (a) note the findings of the objection report;
- (b) following consideration of the above, Cabinet approve implementation of the proposal and the proposed modification to close Ysgol Llanfair DC and Ysgol Pentrecelyn on 31 August 2017 and the Diocese of St. Asaph to open a new dual-stream Category 2, Church in Wales Voluntary Controlled primary school from 1 September 2017;
- (c) that applications for discretionary transport to the nearest category 1 school, be considered on a case by case basis, from existing pupils and siblings of Ysgol Pentrecelyn for the remainder of their primary education following the closure of the school (as of the 1 September 2017), and
- (d) the Local Authority are committed to monitoring the standards and outcomes of the new Area School which will be reviewed regularly at School Standards Monitoring Group, Scrutiny and by the Welsh in Education Strategic Group."

- 4.3 However, this decision was challenged through the process of Judicial Review. The Court ruled in favour of the claimant on some of the grounds of their challenge and as a result the decision made by Cabinet on the 27th October 2015 was quashed. The Court made clear that the decision was quashed on procedural grounds and not on the merits of the proposal. Members have been provided with a briefing note on the Court's findings.
- 4.4 The aim of the Ruthin area review, of which this proposal was an element, was to contribute towards the delivery of the Council's corporate priority of "improving performance in education and the quality of school buildings" and "to provide the right number of school places, of the right type in the right locations." Maintaining a Category 2 provision in this location contributes to achieving this aim.
- 4.5 Given that the judicial review outcome did not criticise the objectives of the proposal, it would be perfectly logical for the authority to consider whether to restart the consultation on the same proposal while taking on board the criticisms about process. However, the authority also needs to consider the wider impact based on the current situation. The quashing of the decision means that the Local Authority has to consider afresh any future proposal based on the current circumstances. In doing so the Local Authority is giving due regard to the impact of any future proposals on community cohesion in particular that which impacts on the learners themselves. It is clear, from discussions with both school communities that there is no appetite to revisit the same proposal in the current circumstances. The authority agrees that conducting a consultation on the same proposal, even with a perfect process, risks further community divisions and legal challenges. It is equally clear that the status quo for Ysgol Llanfair cannot continue and that the area is in need of a sustainable Category 2 school.

On the basis of this it is recommended that going forward to consultation on the previous proposal is not an option to be progressed. Neither is it acceptable to do nothing.

- 4.6 The priority within the context of this element of the proposal is to maintain Category 2 dual stream provision in order to achieve the aim of providing “the right number of school places, of the right type in the right locations.”
- 4.7 In order to achieve this priority, and given that it is not recommended that the previous proposal is taken forward, the Council proposes to take no further action over the future of Ysgol Pentrecelyn. The preferred way forward for Ysgol Llanfair is to re-build the school on a new site. The school will remain a Church in Wales, Category 2 school. Should members support this option, the next stage will be to review the project brief and confirm the costs. A paper will be submitted to the Strategic Investment Group on the revised budget as per the approach taken to the Glasdir project and Ysgol Carreg Emlyn.
- 4.8 The Local Authority in conjunction with GwE, the North Wales school improvement service, will continue to maintain and support both schools in adherence of its statutory responsibility.

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

- 5.1 The proposal will support the corporate priority of “improving performance in education and the quality of our school buildings”.

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

- 6.1 The previous proposal for the area school had been included in the overall 21<sup>st</sup> Century Schools Programme. An initial estimate of £3.4m had been provided and as previously reported to the Strategic Investment Group and Cabinet there would be a need to review the costs following the completion of the initial design work. With the focus of the project changing there will be a need to review its scope and a report will be presented to Strategic Investment Group once this has been confirmed to identify revised project costs and the use of the contingency funding previously identified for this project.
- 6.2 The proposal regarding Ysgol Pentrecelyn will have no cost implications.

**7. What are the main conclusions of the Well-being Impact Assessment?  
The completed Well-being Impact Assessment report can be downloaded from the website and should be attached as an appendix to the report**

- 7.1 Please see attached 2 Well-Being Impact Assessments- Investment in education in the Llanfair DC area and Provision of education in Ysgol Pentrecelyn.

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

- 8.1 Initial dialogue has taken place with the Church in Wales regarding the proposal for Ysgol Llanfair. Officers have met with representatives from the 2 school communities and it is clear through informal discussion that there is no appetite to revisit the original proposals.

**9. Chief Finance Officer Statement**

- 9.1 As indicated in the report the proposal to take no further action in regards to Ysgol Pentrecelyn has no direct cost implications. Any business case for a replacement building for Ysgol Llanfair will be the subject of detailed financial analysis as part of the work of the Strategic Investment Group, taking into account that an initial estimate of £3.4m for the original proposal has previously been agreed by the SIG and Cabinet. The recommendations of this report are therefore supported.

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

- 10.1 There are a number of risks currently being managed at a programme level by the Modernising Education Programme Board. All individual projects will include risk management procedures.

**11. Power to make the Decision**

- 11.1 The proposals are in accordance with the Modernising Education Policy Framework.

The School Standards and Organisation (Wales) Act 2013 provides the legislative requirement for local authorities to review school proposals and to progress proposals to reconfigure school provision..