

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**CABINET EXECUTIVE**

**30 April 2019**

**REPORT AUTHOR: County Councillor Aled Davies  
Portfolio Holder for Finance, Countryside and Transport**

**SUBJECT: Banw C.P. School and Llanerfyl C. in W. (Foundation)  
School**

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**REPORT FOR: Decision**

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**1. Summary**

- 1.1 Further to the decision made by Cabinet on the 18<sup>th</sup> July 2018, the Council carried out consultation on the following proposal:
- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
  - To establish the new school either
    - a. On the current site of Banw C.P. School or
    - b. On the current site of Llanerfyl C. in W. Foundation School
- 1.2 The purpose of this report is to inform Cabinet members of the responses received to the consultation and to determine whether or not to proceed with the statutory process to close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to establish a new school on one of the two sites, through the publication of a Statutory Notice.
- 1.3 The report includes a recommendation to establish a new Welsh-medium Voluntary Aided primary school on the current site of Banw C.P. School.
- 1.4 The proposed recommendation to Cabinet was discussed by Full Council on the 7<sup>th</sup> March 2019. The draft minutes of the discussion are attached in Appendix E, which also includes officer comments on the issues raised.
- 1.5 The report was originally due to be considered by Cabinet on the 12<sup>th</sup> March, however at that meeting, Cabinet resolved to defer consideration to a date in April to allow further information received to be checked. Since then, several queries were received from Cabinet members, responses to the queries raised are included in Appendix F.

- 1.6 Since the 12<sup>th</sup> March, 9 pupils have moved from Llanerfyl C. in W. (Foundation) School to Banw C.P. School. Current pupil numbers<sup>1</sup> at the two schools are as follows:

	<b>N2<sup>2</sup></b>	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>
Banw C.P. School	N/A	5	2	4	4	8	5	4	32
Llanerfyl C. in W. (Foundation) School	3	1	3	2	3	0	3	5	20

- 1.7 The report is supported by the following appendices:

- **Appendix A** – Consultation Document
- **Appendix B** – Consultation Report
- **Appendix C** – Minutes of meetings with School Councils, Governors and Staff
- **Appendix D** – Updated Impact Assessments
- **Appendix E** – Full Council discussion – 7<sup>th</sup> March 2019
- **Appendix F** – Responses to queries raised by Cabinet members

## **2. Proposal**

### Background

#### The Consultation Period

- 2.1 On the 18<sup>th</sup> July 2018, Cabinet considered a report relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School. At this meeting, Cabinet determined the following:

‘To carry out consultation as required by the School Organisation Code on a proposal to close Banw C.P. School and Llanerfyl C. in W. Foundation School and to open a new Welsh-medium Church in Wales Voluntary Aided School on either the Banw site or the Llanerfyl site, with a target date of closing the two schools on the 31<sup>st</sup> August 2020 and opening the new school on the 1<sup>st</sup> September 2020.’

- 2.2 Consultation on the proposal to close the two schools and establish one new school on one of the two sites commenced on the 24<sup>th</sup> September 2018 and ended on the 5<sup>th</sup> November 2018.

<sup>1</sup> Teacher Centre, 9<sup>th</sup> April 2019

<sup>2</sup> In September 2017, the Council raised the age of admission for pupils into maintained schools, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

- 2.3 The consultation document was available on the Council's website throughout the consultation period. The document was also distributed to stakeholders as required by the School Organisation Code (2013). The consultation document that was issued is attached as Appendix A.
- 2.4 Consultees were asked to respond to the consultation by either completing the online consultation form, filling in a paper copy of the form and returning it to the School Transformation Team, or by writing to the School Transformation Team.
- 2.5 During the consultation period, meetings were also held with the following:
- Staff and governors of Llanerfyl C. in W. (Foundation) School
  - Staff and governors of Banw C.P. School
  - School council of Llanerfyl C. in W. (Foundation) School
  - School council of Banw C.P. School

The minutes of these meetings are attached as Appendix C, and the issues raised in the meetings are included in the Consultation Report (Appendix B).

- 2.6 In addition, two drop in sessions were held during the consultation period, to give people the opportunity to discuss the proposals with officers and county councillors. One session was held in Llanerfyl Village Hall, and the second was held in Banw Community Centre.

### Consultation Responses

- 2.7 250 respondents completed the consultation response form which was included in the consultation document, including paper copies and responses submitted using the online response form. In addition, 51 written responses were received.
- 2.8 The consultation response form asked respondents to answer a number of questions. The findings are provided in full on pages 7 and 8 of the Consultation Report (Appendix B).
- 2.8 The written responses received included a response by Estyn, which is provided on page 17 of the Consultation Report (Appendix B).

### Consultation Findings

- 2.9 As part of the consultation, a consultation response form was issued, which was completed by 250 respondents. 40% of respondents indicated that they were associated with Banw C.P. School, whilst 44% of respondents indicated that they were associated with Llanerfyl C. in W. (Foundation) School.

2.10 The consultation response form asked respondents whether or not they agreed that each of the two sites options was a suitable way forward. The findings are outlined in the full on pages 7-8 of the Consultation Report (Appendix B), however the main findings are also provided below:

3. *Given the current and projected pupil numbers in Banw C.P. School and Llanerfyl C. in W. (Foundation) School, do you agree that the most suitable way forward is for the two existing schools to merge in order to establish one new, larger school in the area?*

Yes	189	83%
No	33	14%
Don't know	7	3%
Total responses	229	100%

4. *The current proposal is to establish a new Welsh-medium Voluntary Aided Church in Wales School. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that 'Voluntary Aided Church in Wales' would be a suitable category for a new school?*

Yes	105	46%
No	48	21%
Don't know	74	33%
Total responses	227	100%

5. *If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Banw C.P. School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?*

Yes	140	61%
No	81	35%
Don't know	8	4%
Total responses	229	100%

6. *If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?*

Yes	81	36%
No	130	57%
Don't know	16	7%
Total responses	227	100%

2.10 Written comments were also provided in the consultation response form. These comments, as well as issues raised in written responses

and those raised in the consultation meetings, are listed in the Consultation Report (Appendix B) from page 21 onwards, along with the Council's response to these issues. The issues raised relate to the following headings:

1. Comments on the principle of merging the two schools
2. Comments about Banw C.P. School
3. Comments about Llanerfyl C. in W. School
4. Category of any new school
5. Impact on pupils
6. Pupil numbers
7. Impact on staff
8. Impact on the community
9. Impact on the Welsh language
10. Reference to Early Years provision
11. Financial considerations
12. Other options
13. Reference to documentation
14. Comments relating to the process

2.11 The findings of the consultation, as summarised in 2.10 above, suggest that the respondents' preferred option is to establish a new school on the site currently occupied by Banw C.P. School.

2.12 This matter was discussed by Full Council on the 7<sup>th</sup> March 2019 (see Appendix E). Since then, 9 pupils have moved from Llanerfyl C. in W. School to Banw C.P. School.

### The Proposal

2.12 Based on the findings of the consultation, the proposal to Cabinet is as follows:

- i) To receive the Consultation Report in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School
- ii) To approve the publication of a Statutory Notice proposing the following:
  - To close Banw C.P. School and Llanerfyl C. in W. Foundation School
  - To establish a new Welsh-medium Voluntary Aided Church in Wales School on the current site of Banw C.P. School

2.13 A financial analysis of the two options was carried out, and details were included in the Consultation Document (Appendix A). This analysis estimated that the proposal to close the two schools and establish a

new Voluntary Aided Church in Wales School on the current site of Banw C.P. School would result in an annual saving of £49,226.

- 2.14 This has now been recalculated using the Council's new funding formula. Based on the new funding formula, and using the figures for 2019/20, it is estimated that the proposal to close the two schools and establish a new Voluntary Aided Church in Wales School on the current site of Banw C.P. School would result in an annual saving of £53,820.
- 2.15 Since this matter was discussed by Full Council on the 7<sup>th</sup> March, a number of pupils have moved from Llanerfyl C. in W. (Foundation) School to Banw C.P. School. Current pupil numbers<sup>3</sup> at the two schools are as follows:

	<b>N2<sup>4</sup></b>	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>
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- 2.16 Should the Cabinet resolve to proceed with the publication of a Statutory Notice, this will be published on or before the 3<sup>rd</sup> May 2019. It is anticipated that a further report, summarising any objections received, will be considered by the Council's Cabinet before the end of the academic year.
- 2.17 The target would be for the new school to open in September 2020.

### **3. Options Considered / Available**

- 3.1 A number of options have been considered in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School. These are outlined in the consultation document in respect of this proposal (Appendix A).
- 3.2 Two options were outlined in the consultation document, which were to open a new school on the site currently occupied by Banw C.P. School or to open a new school on the site currently occupied by Llanerfyl C. in W. (Foundation) School. Consultees were asked for their views on the two options. The findings of the consultation exercise are outlined in the Consultation Report (Appendix B).

<sup>3</sup> Teacher Centre, 9<sup>th</sup> April 2019

<sup>4</sup> In September 2017, the Council raised the age of admission for pupils into maintained schools, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

#### **4. Preferred Choice and Reasons**

- 4.1 As outlined in section 2 above, the outcome of the consultation exercise carried out suggests that the preferred option is to establish a new school on the site currently occupied by Banw C.P. School.
- 4.2 Therefore, the preferred choice is to proceed with the option to establish a new Welsh-medium Voluntary Aided Church in Wales Primary School on the site currently occupied by Banw C.P. School.
- 4.2 The reasons for this are as follows:
- Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education
  - Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school
  - Would provide a more efficient model of delivering primary education in the Dyffryn Banw area
  - Would minimise surplus places in the Dyffryn Banw area
  - Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school
  - The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision
  - The Banw building is larger, so would provide an opportunity to co-locate pre-school provision on the site
  - The Banw building has been assessed as being more suitable for curriculum delivery purposes
  - There is access to a hall on site
  - This outcome of the consultation carried out suggests that this is the preferred option.

#### **5. Impact Assessment**

- 5.1 Is an impact assessment required?            Yes
- 5.2 If yes is it attached?                            Yes

A range of draft impact assessments were produced as part of the consultation documentation. These included a Single Integrated Impact Assessment, an Equalities Impact Assessment, a Community Impact Assessment and a Welsh Language Impact Assessment.

These draft impact assessments have been updated to reflect issues raised during the consultation period, and are attached in Appendix D.

#### **6. Corporate Improvement Plan**

- 6.1 Learning and Skills is one of the four priorities outlined in Vision 2025: Our Corporate Improvement Plan 2018-23. Within this priority, the Plan includes a commitment to 'Improve our schools infrastructure'. In order to achieve this, 'we will implement our new School Organisation Policy and Delivery Plan to develop a more efficient schools network, with a greater focus on working in partnership with schools and the communities they serve.'

7. **Local Member(s)**

- 7.1 Comments will be provided at the meeting.

8. **Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

9. **Communications**

Have Communications seen a copy of this report? Yes

Have they made a comment? 'This report is of public interest and requires a news release and use of appropriate social media to publicise Cabinet's decision.'

10. **Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

- 10.1 Legal:

The recommendations can be supported from a legal point of view

- 10.2 The Schools Finance Manager comments:

Establishing one new school to replace the two current schools would provide an opportunity for the new school to work more effectively and efficiently. Finance and Schools Service would continue to work closely with the two current schools and the proposed new school to ensure the financial position is managed within the requirements of the Scheme for Financing Schools.

Upon implementation of the proposal, the existing balances for each school would cease, and the balance would be retained / met by the authority. The current projected balance for March 2019 is Banw CP School = £18k, Llanerfyl C. in W. (Foundation) School = £9k. The proposed new school would be funded in line with the new formula as a single school and this would deliver a saving of £53,820.

- 10.4 HR:

The Schools HR Team will continue to work with Headteachers, Staff, Governors, Trade Unions and other officers of Powys County Council to ensure that any changes that are required will be made in line with the School's adopted policies and procedures.

**11. Scrutiny**

Has this report been scrutinised? No

**12. Statutory Officers**

The Head of Financial Services (Section 151 Officer) notes the comments of finance. It is critical that both schools manage their budget within the requirements of the Scheme for the Financing of Schools to ensure that they maintain a positive budget position through to closure.

The Solicitor to the Council (Monitoring Officer) commented as follows: "I note the legal comments and have nothing to add to the report."

**13. Members' Interests**

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

<b>Recommendation:</b>		<b>Reason for Recommendation:</b>	
<b>i)</b>	<b>To receive the Consultation Report and the views of Full Council in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School</b>	<b>To understand the issues raised during the consultation period.</b>	
<b>ii)</b>	<b>To approve the publication of a statutory notice proposing the closure of Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31<sup>st</sup> August 2020, and opening a new Voluntary Aided Church in Wales Primary School on the site currently occupied by Banw C.P. School from the 1<sup>st</sup> September 2020.</b>	<b>To ensure the continued provision of Welsh-medium education in the Banwy Valley through the establishment of one larger school.</b>	

<b>Relevant Policy (ies):</b>	School Organisation Policy		
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>Cllr Myfanwy Alexander</b>
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<b>Person(s) To Implement Decision:</b>	<b>Marianne Evans</b>
<b>Date By When Decision To Be Implemented:</b>	<b>By 3<sup>rd</sup> May 2019</b>

Contact Officer:	Sarah Astley
Tel:	01597 826265
Email:	sarah.astley@powys.gov.uk

**Background Papers used to prepare Report:**