

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

3 September 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**

REPORT FOR: Decision

1. Summary

- 1.1 Further to the decision made by Cabinet on the 30th April 2019, a Statutory Notice was published, proposing to close Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31st August 2020, and to establish a new Welsh-medium Voluntary Aided primary school on the current site of Banw C.P. School from the 1st September 2020.
- 1.2 The purpose of this report is to inform Cabinet members of the outcome of the statutory objection period.
- 1.3 The report includes a recommendation to proceed with the proposal to establish a new school on the current site of Banw C.P. School from the 1st September 2020.
- 1.4 The report is supported by the following appendices:
- **Appendix A** – Statutory Notice
 - **Appendix B** – Objection Report
 - **Appendix C** – Updated Impact Assessments

2. Proposal

Background

The Consultation Period

- 2.1 Consultation on a proposal to close the two schools and establish one new school on one of the two sites commenced on the 24th September 2018 and ended on the 5th November 2019.
- 2.2 A Consultation Report listing the issues raised during the consultation and the authority's response to them was published. This was discussed by Full Council on the 7th March 2019, and was considered by Cabinet on the 30th April 2019.

- 2.3 At the meeting on the 30th April 2019, Cabinet agreed to proceed with the process to establish a new Voluntary Aided Church in Wales Primary School on the site currently occupied by Banw C.P. School through the publication of a Statutory Notice.

Statutory Notice

- 2.4 Further to the decision made by Cabinet on the 30th April 2019, the Council and the Diocese of St. Asaph published a Statutory Notice proposing the following:

'From 1st September 2020:

Establish a new Welsh Medium, Voluntary Aided Church in Wales Primary school for boys and girls aged 4-11 years old, that will operate on the current site of Banw C.P. School, Llangadfan, Welshpool, Powys. The proposed will new school will have a religious character of Church in Wales and will be maintained by Powys County Council.

and

'From 31st August 2020:

Discontinue the following two schools:

- *Banw C.P. School, Llangadfan, Welshpool, Powys, SY21 0NW;*
- *Llanerfyl C. in W. (Foundation) School, Llanerfyl, Welshpool, Powys, SY21 0HZ'*

- 2.5 The Statutory Notice was published on the 1st May 2019 for a period of 28 days, in accordance with the guidance within the School Organisation Code (2018). A copy of the Statutory Notice is attached as Appendix A.
- 2.6 The objection period ended on the 29th May 2019.

Objections

- 2.7 15 objections were received during the statutory objection period. The issues raised in these objections and response to these issues are listed in the Objection Report, which is attached as Appendix B.

The Proposal

- 2.8 Having considered the issues raised in the objections received, as outlined in the Objection Report (Appendix B), it is recommended that the Council proceeds with implementation of the proposal to close Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31st August 2020, and to establish a new Welsh-medium Voluntary Aided Primary School on the site currently occupied by Banw C.P. School from the 1st September 2020, as outlined in the Statutory Notice (Appendix A).

2.9 It is estimated that implementation of the proposal would lead to annual savings to the Council of £53,820.

2.10 In order to ensure effective stewardship of the resources available to schools, particularly those that are subject to closure, Powys' Scheme for Financing of schools makes provision for this under Section 3.7.2, where it states that:

'The Authority may impose additional restrictions, including but not limited to:

- restriction of expenditure to agreed plans
- removal of powers of virement'

2.11 It is therefore proposed that:-

- spend at the schools is restricted to that included in their approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
- any staffing changes are subject to approval by the Authority;
- any contracts awarded for the supply of goods or services are subject to approval by the Authority.

This will ensure that expenditure is limited to that which is absolutely necessary to protect council resources.

3. Options Considered / Available

3.1 N/A

4. Preferred Choice and Reasons

4.1 As outlined in section 2 above, 15 objections were received during the Statutory Objection period.

4.2 Having considered the issues raised in this objection, the preferred option is to proceed with closing Banw C.P. School and Llanerfyl C. in W. (Foundation) School as outlined in the Statutory Notice (Appendix A), and to establish a new school on the current site of Banw C.P. School.

4.3 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
- The number of objections received was relatively small, and the issues raised in the objections do not warrant not proceeding with the proposal.

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 impact assessments were updated to reflect issues raised during the consultation period, and updated versions were attached to the paper considered by Cabinet on the 30th April.

The impact assessments have been updated again to reflect issues raised during the statutory objection period. Updated versions are attached as Appendix C.

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)**

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? 'The report is of public interest and requires use of proactive news release and social media to publicise the recommendation.'

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 Finance: Finance confirm the estimated savings within the report and fully support the recommendation to use powers of intervention as stated within the Scheme for Financing Schools to ensure effective stewardship. Llanerfyl School is currently working with the authority to minimise the current projected deficit forecasted on closure.

10.3 HR: 'The Schools HR Team will continue to work with headteachers, employees, Governors and trade union representatives to ensure that Powys County Council's policies and procedures are followed in consulting upon and implementing proposed changes.'

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

12.1 Head of Legal and Democratic Services (Monitoring Officer) commented as follows: "I note the legal comments and have nothing to add to the report."

12.2 The Head of Finance (Section 151 Officer) notes the comments of Finance and supports the proposal to use the powers of intervention as outlined in sections 2.10 and 2.11 of the report, as per recommendation (iii).

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.

Recommendation:	Reason for Recommendation:
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i)	To receive the Objection Report in respect of the proposals for Banw C.P. School and Llanerfyl C. in W. (Foundation) School	To understand the issues raised during the objection period.
ii)	<p>To approve the proposal to amalgamate Banw C.P. School and Llanerfyl C. in W. (Foundation) School by:</p> <ul style="list-style-type: none"> - Closing Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31st August 2020 - Establishing a new Welsh-medium Voluntary Aided Primary School on the site currently occupied by Banw C.P. School on the 1st September 2020 	To ensure the continued provision of Welsh-medium education in the Banwy Valley through the establishment of one larger school.
iii)	<p>In line with Section 3.7.2 of the Scheme for Financing schools, it is proposed that:</p> <ul style="list-style-type: none"> - spend at the schools is restricted to that included in their approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority; - any staffing changes have to be approved by the Authority; - any contracts awarded for the supply of goods or services have to be approved by the Authority 	To ensure effective stewardship of the resources available to schools and to limit expenditure to that which is essential.

Relevant Policy (ies):	School Organisation Policy		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Myfanwy Alexander
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Person(s) To Implement Decision:	Marianne Evans
Date By When Decision To Be Implemented:	September 2020

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Background Papers used to prepare Report:

CABINET REPORT TEMPLATE VERSION 5