

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE
14 December 2021

REPORT AUTHOR: **County Councillor Phyl Davies**
Portfolio Holder for Education and Property

REPORT TITLE: **Mount Street Infant School, Mount Street Junior School
and Cradoc CP School**

REPORT FOR: **Decision**

1. Purpose

1.1 Further to the decisions made by Cabinet on the 23rd December 2020 and the 26th January 2021, the Council has carried out consultation on the following proposal:

Phase 1

- To close Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School
- To establish a new English-medium primary school for pupils aged 4-11 on the current sites of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School.

Phase 2

- To make a regulated alteration to transfer the school to a new school building on a new site in Brecon

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 continue with the proposal.

1.3 The report is supported by the following appendices:

- **Appendix A** – Consultation Document
- **Appendix B** – Consultation Report
- **Appendix C** – Minutes of meetings with School Council, Governors and Staff
- **Appendix D** – Updated Impact Assessments
- **Appendix E** – Cradoc CP School Impact Assessment
- **Appendix F** – Cradoc School Council Impact Assessment
- **Appendix G** – Comments from the Learning and Skills Scrutiny Committee (To follow)

2. Background

Strategy for Transforming Education in Powys

- 2.1 On the 14th April 2020, a new Strategy for Transforming Education in Powys was approved by the Leader via a delegated decision.
- 2.2 The Strategy was developed following extensive engagement with a range of stakeholders during two separate periods between October 2019 and March 2020. The Strategy sets out a new vision education in Powys, as follows:

'All children and young people in Powys will experience a high quality, inspiring education to help develop the knowledge, skills and attributes that will enable them to become healthy, personally fulfilled, economically productive, socially responsible and globally engaged citizens of 21st century Wales.'

- 2.3 The new strategy also sets out a number of guiding principles which will underpin the transformation of education in Powys. These are as follows:
 - *A world class rural education system that has learner entitlement at its core*
 - *Schools that are fully inclusive, with a culture of deep collaboration in order to improve learner outcomes and experience*
 - *A broad choice and high quality of provision for 14 – 19 year old learners, that includes both academic and vocational provision, meeting the needs of all learners, communities and the Powys economy*
 - *Welsh-medium provision that is accessible and provides a full curriculum in Welsh from Meithrin to age 19 and beyond*
Provision for learners with Special Educational Needs (SEN)/Additional Learning Needs (ALN) that is accessible as near to home as is practicably possible, with the appropriate specialist teaching, support and facilities that enables every learner to meet their potential
 - *A digitally-rich schools sector that enables all learners and staff to enhance their teaching and learning experience*
 - *Community-focused schools that are the central point for multi-agency services to support children, young people, families and the community*
 - *Early years provision that is designed to meet the needs of all children, mindful of their particular circumstances, language requirements or any special or additional learning needs*
 - *Financially and environmentally sustainable schools*
 - *The highest priority is given to staff wellbeing and professional development*

- 2.4 The new strategy sets out a number of Strategic Aims and Objectives, to shape the Council's work to transform the Powys education system over the coming years. One of the Strategic Aims of the Strategy is to '*improve learner entitlement and experience*' Within this aim, the Strategy sets out a Strategic Objective to '*rationalise primary provision*'.
- 2.5 The preferred way forward for the Mount Street schools and Cradoc CP School was outlined the Programme Business Case that was considered by Cabinet on the 29th September 2020. A number of options were considered and assessed, and further information was also included in the paper considered by Cabinet on the 23rd December 2020.

The Consultation Period

- 2.6 Consultation on the proposals affecting Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School commenced on the 25th February 2021 and ended on the 12th May 2021.
- 2.7 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 (2018). The consultation document that was issued is attached as Appendix A.
- 2.8 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 Transforming Education Team, or by writing to the Transforming Education Team.
- 2.9 During the consultation period, virtual meetings were also held with the following:
- Staff at Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School
 - Governors at Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School
 - School Councils at Mount Street Infants School, Mount Street Junior School and Cradoc 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).

Consultation Responses

- 2.10 229 respondents completed the consultation response form which was included in the consultation document. This included paper copies as well as responses submitted using the online response form. In

addition, 53 written responses were received from respondents including Estyn, by e-mail or post.

- 2.11 The written responses included an online and paper petition to 'Save Cradoc Primary School!', which was signed by 1,275 people.
- 2.12 As well as responses from parents, prospective parents, governors, members of staff and members of the community, responses were received from the following organisations:
 - Governing Body of Mount Street Infants School
 - Governing Body of Cradoc C.P. School
 - Brecon Town Council
 - Yscir Community Council
 - Merthyr Cynog Community Council
 - Trallong, Penpont and Llanfihangel Nant Bran Community Council
 - Cradoc Community Working Group
 - Cradoc C.P. School PTA
 - Cool Kids @ Cradoc
 - NEU Cymru
 - Powys School Forum

- 2.13 Estyn's response to the consultation is provided on page 45 of the Consultation Report (Appendix B).
- 2.14 The consultation response form asked respondents to answer a number of questions. The findings are provided in full on pages 7 to 9 of the Consultation Report (Appendix B).

Consultation Findings

- 2.14 As part of the consultation, a consultation response form was issued, which was completed by 229 respondents. 30.1% of respondents indicated that they were associated with Mount Street Infants School, 4.4% of respondents indicated that they were associated with Mount Street Junior School, 12.7% of respondents indicated that they were associated with both Mount Street Infants School and Mount Street Junior School, 32.8% of respondents indicated that they were associated with Cradoc C.P. School, 1.7% indicated that they were associated with another school and 16.2% of respondents indicated that they were not associated with any school.
- 2.15 The issues raised in the written responses to the consultation and those raised in the consultation meetings, are listed in the Consultation Report (Appendix B) from page 49 onwards, along with the Council's response to these issues.
- 2.16 The issues raised relate to the following headings:

1. Comments about the current schools

1. Mount Street Schools
2. Cradoc C.P. School
3. Other general comments about the current schools

2. Comments about Phase 1 of the Proposals

1. Concern about the impact on quality of provision
2. Concern about the impact on pupils
3. Concern about loss of each school's individual identity / awards
4. Concern about loss of school identity
5. Concern about loss of school awards
6. Concern about mixing rural and town schools
7. Concern about changes to leadership arrangements
8. Other comments about changes to staffing arrangements
9. Concern that Phase 1 would continue for longer than intended
10. Financial impact of Phase 1
11. Comments about buildings
12. Other concerns about Phase 1
13. Other questions about Phase 1 of the Proposals

3. Comments about Phase 2 of the Proposals

1. Funding has not yet been secured for Phase 2
2. There is insufficient information about Phase 2 therefore a separate consultation should take place
3. Comments about the impact on pupils
4. Comments about the new building
5. Comments about the size of the new school
6. Comments about the proposed site
7. Comments / queries about what would happen to the current buildings
8. Comments about the impact on the community
9. Comments about travel implications
10. Pupils would transfer to other schools
11. Queries about admissions arrangements
12. Other comments / queries

4. Other comments

1. General comments about the impact on pupils
2. General comments about the impact on staff
3. Comments about the impact on parents / families
4. Comments about the impact on protected characteristic groups
5. Comments about small / rural schools

6. Comments about other schools / Proposals
7. Financial implications
8. Comments about Council / Welsh Government strategies
9. Criticism of Powys County Council
10. Comments about the consultation process
11. Comments about the Consultation Document ation
12. Alternative options
13. Comments about the impact on Welsh
14. Comments in favour of the Proposals

3. Advice

- 3.1 Based on the findings of the consultation, and further assessment of the options in accordance with the requirements of the School Organisation Code in terms of the Presumption Against Closure of Rural Schools, the advice of officers is that the Council should proceed with the proposals to amalgamate Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School to create a new primary school that would initially operate from the current three sites before moving to a new building in the future, by publishing a Statutory Notice.
- 3.2 The reasons for this are outlined below:
 - One new, larger school would be established which would offer enhanced opportunities for pupils
 - Would enable staff expertise and good practice to be shared across the entire primary age range
 - All staff at the three schools would have the opportunity to secure positions in the new school
 - More flexibility and personal development opportunities for staff
 - Parents of pupils currently attending Mount Street Infants would not have to re-apply for admission to junior phase
 - Improved transition arrangements between Foundation Phase and Key Stage 2 for pupils attending Mount Street Infants
 - Potential to attract capital funding to provide a new building
 - Would reduce the Council's surplus places in primary schools
 - Would lead to rationalisation of the primary school estate
 - Financial saving to the Council
 - Improved transition arrangements from years 5 – 8 enabling pupil to have access to the facilities in Brecon High school such as science laboratories
 - A new larger school which would meet statutory requirements for accessibility and inclusion

- 3.3 It is anticipated that the Statutory Notice would be published in January 2022, and that a further report, summarising any objections received, will be considered by the Council's Cabinet in March 2022.
- 3.4 Whilst the consultation period proposed amalgamating the three schools from September 2022, the delay in the Consultation Report being considered by Cabinet means that this implementation date will no longer be achievable.
- 3.5 It is therefore advised that the implementation date for Phase 1 of the proposals, amalgamation of the three schools to establish one new school, is moved to September 2023, and that the proposed implementation for Phase 2 of the proposals is moved to 2025/26.
- 3.6 It must also be noted that implementation of this proposal does not preclude the schools from being a part of future reorganisation proposals.

4. Resource Implications

- 4.1 The amount of funding provided to schools is driven by the funding formula. Any change to the formula funding provided will impact on the Council's revenue budget. Based on the current formula, the phased approach would deliver the following estimated annual revenue savings to the Council:

Phase 1: £16,181. There would be no additional transport costs associated with this phase, although there would be some additional set-up costs.

Phase 2: The move to a new building would result in additional estimated revenue savings in delegated funding amounting to **£184,306** per annum and **£35,760** for catering functions. It is currently projected that there would be no additional transports costs as current bus routes can accommodate this model.

The Council is currently reviewing the schools' funding formula and, if this is approved by Cabinet then the impact on the delegated funding would need to be re-calculated.

The consultation document highlights the issue with building condition at the current schools which are all rated as poor, with backlog maintenance costs estimated at £2.328 million.

- 4.2 Implementation of Phase 2 will require capital funding. At this stage early estimates of the capital investment required is approximately £9 - £10 million, funding remains available within the uncommitted amount already included in the 21st Century Schools funding envelope provided by Welsh Government. The Council has included the development of new schools in the Brecon catchment in its revised Strategic Outline

Programme for the 21st C Schools Programme. Should these proposals be approved by Cabinet, then the Council would commission the first stages of the design process, and develop a Strategic Outline Case for the approval of Cabinet and the Welsh Government. It would then further work up the plans through the RIBA stages, and develop an Outline Business Case, again for Cabinet and Welsh Government approval. Following this, a Full Business Case would be prepared, and once approved by Cabinet and the Welsh Government, construction would commence.

4.3 At a 65% intervention rate the Council would need to fund an estimated £3.5m of capital. If the Welsh Government's contribution to the project was not available, the Council would fund the project directly from its own capital programme, through a combination of capital receipts and borrowing. If the Council were to fund the whole scheme from borrowing this would increase the charges to the revenue budget by £0.5 million per annum over the life of the asset. Should Welsh Government provide 65% of the funding for the scheme, the impact on the revenue budget would be reduced to £0.175 million per annum over the life of the asset. This is not currently funded although the pressure on the revenue budget in future years is recognised in the Medium Term Financial Plan. The savings identified in 4.1 may be used to cover these costs but it would be removing funding from the overall schools delegated budget. The borrowing amount could be reduced by the capital receipts that become available as a result of the sites vacated (estimated at approximately £500,000 - £800,000) or other surplus properties sold.

4.4 The Scheme for Financing Schools also states the following in section 3.7.2:

'In order to ensure effective stewardship of the resources available to schools, the Authority may impose additional restrictions on a school scheduled to close, including but not limited to:

- Restriction of expenditure to agreed plans
- Removal of powers of virement'

The Council will consider the use of these powers of intervention where appropriate.

4.5 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, HR and Finance.

4.6 The Council's Schools Budget Forum responded to the consultation in respect of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School. Their response included the following:

'The School Forum wishes to comment on the financial implications of these proposals for the overall schools' delegated budget. At our last meeting we agreed on the importance of making sure that any savings accruing from transformation proposals are retained within the overall schools' delegated budget. This is fundamental to the overall transformation programme being taken forward by the Council. One of the main tenets of the overall programme is to reduce the overall number of schools so that the existing level of funding could be shared more equitably and resolve the existing problem of some schools having insufficient resources.

There is a common sentence in each of the reports which says "Any savings would be reinvested in the Council's corporate budget and any reinvestment in the schools' system would be agreed as part of the annual budget planning cycle". This falls a long way short of guaranteeing that the savings will be retained within the overall schools' delegated budget. Essentially this means that it will be up to the Council each year to decide on whether the funding should be retained for schools or not. This approach is very worrying as it could lead to the overall schools' delegated budget being reduced as a result of the Council deciding that savings should be reinvested elsewhere. That runs very much against the overall plan to share the existing resources amongst a smaller number of schools and could result in the same problem we have now – not enough funding to run all the schools.

Against this background can you please, when reporting back to the Cabinet on the results of the consultations for each of these schools, report the concerns of the Schools' Forum as set out above and change the approach to how savings are to be treated, i.e. that they are ring fenced for use within the schools' delegated budget.'

- 4.7 The Head of Finance (Section 151 Officer) notes the content of section 4 of the report. The contribution from Welsh Government to the project is subject to the 21st Century Schools business case process, Welsh Government provide an approval 'in principle' following successful submissions of SOC/OBC's and grant is secured following approval of a full business case. Without this approval there is a risk that the council will have to fund the project in full. The estimated costs mentioned in 4.2 are indicative at this stage and will be confirmed during the design and business case process. This does not increase the capital programme at this point as the commitment has already been included, however any borrowing will be incurred in future years and will increase costs in the revenue budget. The FRM for future years includes the costs required to fund the 21st century schools programme for full delivery of Band B. The MediumTerm Financial Plan is based on estimated funding scenarios and uncertainty remains on what future funding settlements will provide and the council will need to bridge the budget gap currently reported in order to meet its ongoing commitments. Capital receipts and utilising the revenue

savings from the delegated budget will reduce the impact on the revenue budget and should be considered as part of the Council's budget development and capital strategy.

I acknowledge the Schools Budget Forum's desire to have a guarantee on the savings being reinvested into the schools' delegated budget. However, it is not appropriate to ring-fence in this way. The funding allocated to all services has to be considered collectively and the Council will prioritise its resources in order to deliver its objectives. This approach has seen investment in Education over recent years.

5. Legal implications

5.1 Legal: XXX

5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows:

6. Comment from local member(s)

6.1 XXX

7. Integrated Impact Assessment

7.1 An initial impact assessment was considered by Cabinet on the 26th January 2021.

7.2 In addition, a range of draft impact assessments were produced as part of the consultation documentation. These included an Integrated Impact Assessment, an Equalities Impact Assessment, and a Community Impact Assessment.

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

7.4 In addition, during the consultation an 'Impact Assessment' was received which was prepared by the Cradoc community. This is attached as Appendix E.

7.5 An 'Impact Assessment' was also received on an alternative option to rebuild Cradoc C.P. School, which had been prepared by the School Council of Cradoc C.P. School. This is attached as Appendix F.

8. Recommendation

- To receive the Consultation Report in respect of the proposals affecting Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School.

- To approve the publication of a statutory notice to:

Phase 1

- To amalgamate Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School to create a new primary school that would operate from the current three sites
- The target date for establishing the new primary school is September 2023.

Phase 2

- To make a regulated alteration to transfer the school to a new school building on a new site in Brecon
- The target date for this phase is 2025/6.

Contact Officer:	Marianne Evans
Tel:	01597 826155
Email:	Marianne.evans@powys.gov.uk
Head of Service:	Emma Palmer – Head of Transformation & Communications Lynette Lovell – Interim Chief Education Officer
Corporate Director:	Dr Caroline Turner

CABINET REPORT TEMPLATE VERSION X