

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**CABINET EXECUTIVE  
11 March 2022**

**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**

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**REPORT FOR: Decision**

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**1. Purpose**

- 1.1 Further to the decision made by Cabinet on the 14<sup>th</sup> December 2021, the Council published a Statutory Notice proposing the following:
- To close Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School from the 31<sup>st</sup> August 2023;
  - To open a new English-medium community school operating on the current sites of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School from the 1<sup>st</sup> September 2023;
  - To transfer the New School to a new building on the former Brecon High School site, Penlan, Brecon from 2025/26.
- 1.2 The purpose of this report is to inform Cabinet members of the outcome of the statutory objection period and objections received.
- 1.3 The report includes a recommendation to proceed with implementation of the proposals relating to Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School as outlined in 1.1 above.
- 1.4 The report is supported by the following appendices:
- **Appendix A** – Statutory Notices
  - **Appendix B** – Objection Report
  - **Appendix C** – Updated Impact Assessments

**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'*.

## **Programme Business Case and Proposal Paper**

- 2.5 The preferred way forward for Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School was outlined in a Programme Business Case that was considered by Cabinet on the 29<sup>th</sup> September 2020.
- 2.6 A number of options were considered and assessed in the Programme Business Case, however the report presented to Cabinet did not include the advantages and disadvantages of option 4C which was to build new schools for Mount Street Infant and Junior School, Sennybridge C.P. School and Cradoc C.P. School due to an error with version control, although the option was assessed against the investment objectives and critical success factors, based on the following advantages and disadvantages, and was discounted from further assessment.
- 2.7 The advantages and disadvantages of this option which had been omitted from the Programme Business Case were included in the paper considered by Cabinet on the 23<sup>rd</sup> December 2020, and to reiterate, are as follows:

Option 4C New build Sennybridge, new build Brecon primary school, new build Cradoc	
Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Improves learner entitlement and experience by pupils being in brand new facilities in three schools</li> <li>Establishing a new primary school in Brecon would create a larger school which enables economies of scale in that school</li> <li>Removes backlog maintenance of circa £3m</li> <li>Retains provision in all three locations and would be more acceptable to local communities;</li> <li>Would enable energy efficiencies reducing the buildings carbon footprint and ongoing running costs;</li> <li>New primary school in Brecon would create efficiencies in school staffing structure;</li> <li>Possibilities for additional community facilities that have the potential to offer additional income streams for the new schools</li> <li>Merging an infant and junior school enables the educational advantages afforded through improved transition between key stages</li> </ul>	<ul style="list-style-type: none"> <li>Potential disruption to Cradoc and Sennybridge schools during construction</li> <li>Would potentially require temporary relocation of pupils during construction along with associated costs</li> <li>Does not maximise efficiencies</li> <li>Does not provide opportunities for staff from being part of a larger school</li> <li>Does not have a positive impact on the Council's overall schools' budget through rationalisation of schools</li> <li>Capital cost of building three new schools on three separate schools does not provide value-for-money</li> <li>Does not maximise opportunity for capital receipts</li> </ul>

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| <ul style="list-style-type: none"><li>• No additional transport costs for the Council.</li><li>• Improves safeguarding</li></ul> |  |
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2.8 On the 23<sup>rd</sup> December 2020 and the 26<sup>th</sup> January 2021, the Council's Cabinet considered an options appraisal paper in respect of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School, and agreed to carry out consultation on proposals affecting the three schools.

### **The Consultation Period**

2.7 Consultation on proposals affecting Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School was carried out in accordance with the requirements of the School Organisation Code (2018) from the 25<sup>th</sup> February 2021 to the 12<sup>th</sup> May 2021.

2.8 A Consultation Report listing the issues raised during the consultation and the Council's response to them was published. This was considered by Cabinet on the 14<sup>th</sup> December 2021.

2.9 At the meeting on the 14<sup>th</sup> December 2021, Cabinet agreed to proceed with the publication of a Statutory Notice proposing the following:

#### **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.

### **Statutory Notice**

2.10 Further to the decision made by Cabinet on the 14<sup>th</sup> December 2021, the Council published a Statutory Notice proposing the following:

#### ***'Phase 1 of the Proposals***

#### ***From 31 August 2023:***

- The Council proposes to discontinue the following three schools which are maintained by Powys County Council:*

- *Mount Street C.P. Infants School, Rhosferig Road, Brecon, Powys, LD3 7NG (“Mount Street Infants School”);*
- *Mount Street C.P. Junior School, Brecon, Powys, LD3 7LU (“Mount Street Junior School”);*
- *Cradoc Community Primary School, Cradoc, Brecon, Powys, LD3 9LR (“Cradoc C.P. School”).*

**From 1 September 2023:**

- i. *The Council proposes to establish a new English-medium community school maintained by Powys County Council for boys and girls aged 4-11 years old (“the New School”), that will operate on the current sites of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School.*

**Phase 2 of the Proposals**

**From 2025/2026:**

- i. *The Council proposes to make a regulated alteration to transfer the New School to a new building on the former Brecon High School site, Penlan, Brecon, Powys, LD3 9SR.’*

2.11 The Statutory Notice was published on the 7<sup>th</sup> January 2022 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.

2.12 The objection period ended on the 4<sup>th</sup> February 2022.

**Objections**

2.13 113 objections were received during the statutory objection period.

2.14 Objections were received from the following:

- Governing Body of Mount Street Infants School
- Governing Body of Cradoc C.P. School
- Brecon Town Council
- Cradoc Community Council
- Honddu Isaf Community Council
- Methyr Cynog Community Council
- James Evans MS
- Cllr Iain McIntosh
- Cllr Matthew Dorrance
- Cllr Liz Rijnenberg
- Chair of Governors, Mount Street Infants School
- Friends of Cradoc PTA

- Brecknock Play Association

2.15 A summary of the objections received are included in Section 3 of the Objection Report (Appendix B), along with the Council's response to the issues raised in the Objections.

2.16 As outlined in the Objection Report, the main issues raised in the Objections are as follows:

### **1. Comments about the current schools**

1. Mount Street Schools
2. Cradoc C.P. School

### **2. Comments about Phase 1 of the Proposals**

1. Impact on quality of provision
2. Impact on pupils
3. Concern about loss of each school's individual identity / awards
4. Concern about changes to leadership arrangements
5. Concern about changes to staffing arrangements
6. Concern about governance arrangements
7. Comments about mixing rural and town schools
8. Concern that Phase 1 would last longer than expected
9. Comments about funding arrangements during phase 1
10. Comments about buildings
11. Other comments / questions about Phase 1

### **3. Comments about Phase 2 of the Proposals**

1. Concern that 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 proposed site
6. Comments about other facilities on 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. Comments about impact on childcare / wraparound provision
11. Queries about admissions arrangements
12. Other comments

### **4. Other comments**

1. General comments about the impact on pupils
2. Concern about the impact on protected characteristic groups
3. General comments about the impact on staff
4. Comments about small and rural schools
5. Comments about other schools
6. Financial impact
7. Comments about Council / Welsh Government Strategies
8. Criticism of Powys County Council
9. Comments about the Welsh language
10. Alternative options
11. Comments about the process
12. Comments about Documentation

### **3 Advice**

3.1 Having considered the objections received, it is recommended that the Council proceeds with implementation of the proposals in respect of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School, as outlined in the Statutory Notice (Appendix A).

3.2 The reasons for this are as follows:

- To offer enhanced opportunities for pupils from attending one new, larger, school
- To enable staff expertise and good practice to be shared across the entire primary age range
- To ensure that all staff at the three current schools have the opportunity to secure positions in the new school
- To provide more flexibility and personal development opportunities for staff
- To provide improved transition arrangements for pupils currently attending Mount Street Infants School and Mount Street Junior School between the Foundation Phase and Key Stage 2
- To provide access to 21st Century Schools Funding in order to provide a new building
- To reduce the Council's surplus places in primary schools
- To rationalise the primary school estate
- To realise a financial saving
- Meets all the Critical Success Factors

### **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. A new funding formula for primary phase schools was agreed in December 2021 which changes the estimated savings previously provided.

- 4.2 Based on the funding formula and the pupil numbers at the time of consultation on this proposal, it was estimated that implementation of the proposal 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 annual revenue savings in delegated formula funding amounting to £184,306 per annum and £35,760 for catering functions. It was projected that there would be no additional transport costs as existing bus routes could accommodate this model.

- 4.3 These figures have been updated to reflect the new funding formula which will be introduced from April 2022. Based on the new formula, it is estimated that implementation of the proposal would deliver the following estimated annual revenue savings to the Council:

**Phase 1: £6,400.** 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 annual revenue savings in delegated formula funding amounting to £101,650 per annum. The estimated savings of £35,760 for catering functions remain the same. It continues to be projected that there would be no additional transport costs as existing bus routes could accommodate this model. Overall, the annual savings to the Council of this proposal based on the new funding formula are estimated to be **£137,410**.

- 4.4 The consultation document issued in respect of the proposals for Mount Street Infants, Mount Street Juniors and Cradoc C.P. School also highlighted issues with building condition at the three current schools, with backlog maintenance costs estimated at £2.328 million.
- 4.5 Implementation of Phase 2 will require capital funding. At this stage early estimates of the capital investment required is approximately £15 million including £4m Risk and Optimism bias. Funding remains available within the uncommitted amount already included in the 21<sup>st</sup> Century Schools funding envelope provided by Welsh Government, however there isn't sufficient funding to complete this scheme and the proposed Sennybridge Primary School. Additional funding will need to be found to finance the shortfall, currently estimated at £5 million to complete both schemes.
- 4.6 The Council has included the development of new schools in the Brecon catchment in its revised Strategic Outline Programme for the



21<sup>st</sup> 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.

- 4.7 Following this, a Full Business Case would be prepared, and once approved by Cabinet and the Welsh Government, construction would commence. At a 65% intervention rate the Council would need to fund an estimated £5.25m 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 £0.75 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 £0.26 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.
- 4.8 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.
- 4.9 The cumulative surplus balance was £63,023 for Cradoc C.P School, £113,027 for Mount Street Infants School and £30,376 for Mount Street Junior School as at the 31st March 2021. The budget approved by the Governing Body for the current year shows this decreasing to £35,909 for Cradoc C.P School, decreasing to £61,844 for Mount Street Infants School and decreasing to £10,724 for Mount Street Junior School by 31st March 2022.
- 4.10 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’
- 4.11 It is therefore proposed that:
- Spend at Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School is restricted to that included in

its 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.

- 4.12 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, HR and Finance.
- 4.13 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 21<sup>st</sup> 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 21<sup>st</sup> century schools programme for full delivery of Band B. The Medium Term 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 Councils budget development and capital strategy.

The Head of Finance supports the proposals set out in section 4.11 above which are included in the recommendation.

## **5. Legal implications**

- 5.1 Legal: the recommendations can be accepted from a legal point of view
- 5.2 The Head of Legal and Democratic Services ( Monitoring Officer ) has commented as follows: " I note the legal comment and have nothing to add to the report".

## **6. Comment from local member(s)**

- 6.1 Cllr. Liz Rijnenberg, Cllr. Matthew Dorrance, Cllr. David Meredith:

'We object to the proposals for both Phase 1 and Phase 2 of the Transformation programme for Brecon Schools for the many reasons previously given. In addition our view at this point is that the programme should be halted. There has been a significant objection from the public, both to the proposal itself and the process which has been followed. We are currently engaged in a Covid recovery programme and dealing with the fallout of Brexit which together have created very serious personal and economic hardship for the people of Brecon. We now have no idea at all of what position we will find ourselves in as a result of the War on Ukraine.

Whilst it is important to be looking 10-20 years ahead for long term planning in Education, halting the Brecon programme would allow this to happen whilst concentrating staff time and energy on the here and now. We believe that it is right to step back now, to engage stakeholders, and review in order to make sure that we have the right foundations in place to manage any transformational change programme, particularly when the environment has significantly changed. Children aged 3-11 and impacted by this proposal have already missed a significant amount of education and many more are living in homes with fuel and food poverty which impedes learning.

All efforts over the next 3 years should be on consolidation and continuity, avoiding unnecessary disruption to children, parents, and teachers. Education delivers the greatest platform to opportunity and whilst this Authority may be of the view that a new building programme will provide this, it will not and at this point in time it will have the opposite effect. In respect of the Brecon Transformation there is no urgency in making a decision to build – these are **not** schools which are in the 'small' category and they are **not** in deficit. The last Estyn Inspections on Mount Street Schools demonstrated good and excellent standards. The schools are quite capable of delivering the new curriculum.

This is a costly programme and the environment has changed - but more importantly it is one which places the long term outcomes for children at risk and jeopardises their future chances. We ask this Council to STOP and review in order to demonstrate with evidence that all unintended consequences are avoided. It is important that when circumstances change and new risks emerge that programmes can be halted – it demonstrates strength and insight.'

Cllr. Iain McIntosh:

1. I object to being given such short notice to offer my views about these papers and, that the papers remain confidential until after the expiry time for local member contributions. Members of the community who have been closely following the schools transformation process and working alongside local members like

myself, should have been given the opportunity to work with their local member and help ensure a full response is given, taking into account views of the community – after all, that is what we as County Councillors are all here for?

2. Appendix A – Statutory Notice; under **School Capacity**, Phase 1, it says “The New School’s capacity will initially be 476 for pupils aged 4 – 11. This will include 129 places at the Mount Street Infant site, 172 places at the Mount Street Junior site and **175 places at the Cradoc site.**” – I do not believe Cradoc Primary School can hold 175 pupils. I have asked for the school capacity number to be re-evaluated in the past and repeat that request again now please.
3. Appendix A – Statutory Notice; under **School Capacity**, Phase 2, it says “Following transfer of the New School to the new school building, it is anticipated that the New School’s capacity would be 360, **however this would be confirmed during the design stage.**” – This is the first indication I have seen that, if a new school is built in Brecon, it may hold more or fewer than 360 pupils? Throughout the consultation period only a fixed figure of 360 has been suggested, the statutory notice is therefore different to the proposal that was consulted upon.
4. Appendix A – Statutory Notice; under **Proposal to close a rural school** – the reasons listed by the council next to bullet points are also reasons to build a new primary school in Cradoc! The only options that have been considered by the council, to include a new school build in Cradoc, include either closing, or totally rebuilding Sennybridge primary school, which are clearly unviable options. No consideration has been given to; Keep Sennybridge school as it is (with some small upgrades if needed), build a new school to replace both Mount Street Schools in Brecon, and build a new school in Cradoc. Therefore not all options have been considered, breaching this authority’s own constitution.
5. Appendix A – Statutory Notice; under **Proposal to close a rural school** – one of the reasons listed says “To offer enhanced opportunities for pupils from attending one new, larger, school.”, but in the Objection Report (Appendix B), page 32, the council responds to point 1.2.3.1 about pupil numbers by saying “The school’s size is not one of the reasons for the current proposals.” – If the size of Cradoc School is not of concern, why is the council suggesting ‘enhanced opportunities’ would be offered by building a larger school? I have seen no evidence to back up the suggestion that pupils receive a better education or learning experience from a larger school and would like Powys County Council to either offer such evidence, or retract their claim.

6. Appendix B – MSC Objection report – page 32, point 1.2.3.4 – the council’s response states; “Whilst the school’s size is not one of the reasons for the current proposals, historical pupil numbers show that pupil numbers have, in the main, been falling year on year at Cradoc since 2014. Cradoc C.P. School pupil projections do not indicate a significant increase in numbers, with numbers remaining in the 90s.” – I don’t believe this is accurate as I have been informed that currently, there are 104 pupils at Cradoc School. If so, can the council retract that statement please and update decision making Cabinet members?
7. Appendix B – MSC Objection report – page 33/34, points 1.2.4.1, 2 & 3 – members of the public point out how the buildings at Cradoc School have deteriorated and been neglected for over a decade. The council replies by saying buildings have not been allowed to deteriorate, but then go on to admit ‘the condition of the building is one of the challenges identified in the consultation document.’ This is an extraordinary statement from the council which, in the space of one paragraph, totally contradicts itself.
8. Appendix B – MSC Objection report – page 37, point 1.2.6.1 – the council claims there are 91 pupils in Cradoc C.P. School. As pointed out above at #6, I don’t believe this is accurate as I have been informed there are 104 pupils at Cradoc School. If so, can the council please ensure all decision making Cabinet members are being given correct and up to date information and adjust the statistics to indicate which schools are closest to pupils.
9. Appendix B – MSC Objection report – page 38, points 1.2.6.2, 3, 4, 5, 6 & 7 – all these points deserve a better and different response to that given to point 1.2.6.1, to primarily acknowledge the points being made and secondly, disclose the council’s opinion about why people living closer to other schools, still prefer to send their children to Cradoc Primary School.
10. Appendix B – MSC Objection report – page 39, point 1.2.6.7 – the council states; ‘Parents choosing Cradoc over their nearest school is not one of the reasons for the current proposals.’ – I believe Cabinet members are under the impression that, as parents living closer to other schools **do** choose to send their children to Cradoc, that strengthens the argument to close Cradoc school. Can Cabinet members be updated about this please?
11. Appendix B – MSC Objection report – page 52, point 2.2.1 – the council states; ‘It is also expected that school governors, staff and parents support the children to ensure that there isn’t a detrimental impact on their wellbeing.’ – I do not think it is fair to impose the added burden of providing extra support for children who may be experiencing difficulty following a decision to close

any school, by people who do not believe that school should have been closed. Who will provide support for these people?

12. Appendix B – MSC Objection report – page 55, point 2.2.8 – the council has responded to this question about what protection will be offered for the wellbeing and education of children by Powys County Council, by passing all responsibility on to the schools. I believe this local authority has a duty to protect the well being and education of all school children, at all times – claiming otherwise or that is solely the responsibility of schools, is an astonishing statement.
13. Appendix B – MSC Objection report – page 56, point 2.3.1.5 – the council has responded to this point, and others above, by suggesting the three schools will be able to develop a new sense of identity and community, whilst still occupying three separate schools. I do not accept this response as being accurate at all, it will be near impossible to achieve the council's claim.
14. Appendix B – MSC Objection report – pages 58 through to 69 – I do not accept the responses given to concerns from members of the public about the workload demands on teachers and a head teacher responsible for delivering education over three separate sites, for what may be several years. I believe this is too much to expect from one head teacher, the threat to the education of children and the successful running of the new school is a significant and reckless gamble to take by the education department and portfolio holder.
15. Appendix B – MSC Objection report – page 69, point 2.6.1 – the council expressed their 'hope' that current governing bodies would work with the council, but shared no view or consideration to the fact that governing bodies are against this decision and, may not be prepared to work with an authority making decisions they are totally against. The lack of foresight or willingness to make or suggest alternative arrangements, is of great concern to me.
16. Appendix B – MSC Objection report – pages 70 to 72, points 2.7.1 to 2.7.11 – the points raised by members of the public indicate how rural schools present different issues and require different solutions to urban schools. The council's response, which is an attempt to justify treating all three schools as one 'project', totally ignores the fact that, if faced with the prospect of closure, rural schools must be treated differently, with a separate and independent proposal, to urban schools. Powys County Council has not done that, which is a breach of the statutory school organisation code.

17. Appendix B – MSC Objection report – page 72/73, points 2.7.12 and 13 – the council responds to a question asked by a member of the public, about what benefits will be delivered by merging Mount Street schools with Cradoc School, with claims that there will be ‘advantages offered by single school provision for primary age pupils’ and, ‘Due in part to an increased critical mass of learners, ‘all-through’ primary schools are usually able to offer both enhanced continuity of provision and a curriculum which is more broad and balanced in content, delivered in a continuous and coherent way from the Foundation Phase through to the end of Key Stage 2.’. I do not believe any evidence has been presented to back up such a claim. I would therefore like to request that the education department, and portfolio holder, present any evidence to Cabinet members and the public, to back up the claim that schools with an increased critical mass of learners are able to provide a better education or learning experience, before any decision is made to close these schools.
18. Appendix B – MSC Objection report – pages 73 to 75, points 2.8.1 to 2.8.9 – the council has responded to queries about how long phase 1 will last by claiming it plans to move to a new building during 2025/26. I do not understand how the council can make this assumption as Welsh Government are yet to confirm whether or not any resources or funding will be offered to build a new school, and will not do so until a full business case has been approved. I do not believe a full business case has even been started yet, so to assume funding will arrive, or that this authority will be able to fund the project from its own capital program so far into the future, is reckless.
19. Appendix B – MSC Objection report – page 78, point 2.9.7 – a member of the public has asked the council to define the costs for phase 1. A response has been given listing areas where additional costs will occur, without specifying what those costs will be. Throughout this section about the funding arrangements during phase 1, I do not believe the council will reach one of its claimed targets of realising a financial saving.
20. Appendix B – MSC Objection report – pages 86 to 89 – a number of points have been raised about insufficient information being available about phase 2. The council claims enough information has been given and that it is in line with the school organisation code. I do not understand how the council can make such a claim when there has been such little information given, and so much uncertainty, about phase 2.
21. Appendix B – MSC Objection report – page 89, point 3.3.1 – a point has been raised about the impact imposed on pupils. The council responds with a claim that ‘The Council is committed to supporting schools and learners through period of change.’, but in

response to point 2.2.8 on page 55 about the wellbeing of children, the council states 'Should the Council proceed with the proposals, the new school would be responsible for ensuring that the needs of all pupils are met.'. Both statements, which relate to similar issues and concerns, contradict each other.

22. Appendix B – MSC Objection report – page 91, point 3.3.5 – in response to a question from the public, the council admits 'current pupils would continue to receive good quality education on their existing site..' – this begs the question; why is the council therefore proposing to close these schools?
23. Appendix B – MSC Objection report – page 93/4, points 3.4.1.2 to 3.4.1.9 – all these points deserve a better response than 'As above.'.
24. Appendix B – MSC Objection report – page 94, point 3.4.1.11 – a response from the council merely indicating it 'notes this concern', to this point and others throughout this paper, shows a lack of understanding and commitment to respond to genuine concerns raised by members of the public, parents, teachers, governors, children and myself.
25. Appendix B – MSC Objection report – page 94/95, points 3.4.1.13 to 15 – the council confirms that 'New build primary schools are designed and built to accommodate a **maximum** of 30 pupils per class. This is in line with Building Bulletin 1999 Briefing Framework for Primary School Projects and Welsh Government requirements.'. However, the suggestion 'it is **unlikely** that class sizes would exceed 30' is simply not good enough, taking into account the very clear and precise maximum specification. There should be **certainty** around future plans before making any firm commitments, particularly as we're considering the education of children.
26. Appendix B – MSC Objection report – pages 95 to 97, points 3.4.2.1 to 9 – the council has responded to a number of concerns around a new building being too small, by indicating that the capacity of any new school will only be confirmed during the design stage. This could take several years which indicates how poorly planned and uncertain stage 2 is currently.
27. Appendix B – MSC Objection report – page 98, point 3.4.4.1 – the council has responded to a question about what additional facilities will be provided by a new school by confirming that a new school will provide 'similar facilities as currently in Mount Street and other schools'. This indicates that a new building will not add additional facilities compared to the current schools at all.



28. Appendix B – MSC Objection report – page 101, point 3.4.4.13, and page 103, point 3.5.1.12 – members of the public have confirmed no feasibility study, suitability assessments, planning investigations, ecological surveys, road safety assessments, environmental assessments or planning applications has been conducted around the construction of a new school building. The council claims it ‘expects’ a new school to be feasible, and assumes all surveys and investigations will show favourable results, but with so much uncertainty around such outcomes, it would be irresponsible for decision making Cabinet members to commit to making a decision until it is certain a new school will be both feasible and suitable.
29. Appendix B – MSC Objection report – pages 104/5/6/7, points 3.5.2.1 to 19 – the council has responded to a number of concerns about the location of the school by emphasising the importance of appropriate active travel routes, but has not indicated if such routes are either possible to implement, or feasible within the town. I do not believe a decision or any commitment can be made to proceed with these proposals until certainty around these issues and concerns can be assured.
30. Appendix B – MSC Objection report – page 110, points 3.7.3 to 5 – the council only indicates it ‘notes this concern’, a fuller response should be offered.
31. Appendix B – MSC Objection report – page 110/11, points 3.7.6 and 7 – members of the public have asked for clarification about the availability of the school land sites at Mount Street for anything other than education. I have the same concerns about the Cradoc School site too, which I believe was acquired by the Council via a compulsory purchase order, to be used as a school. If the land is no longer to be used for educational purposes at either or all of the three school sites, I urge the council to clarify whether or not there is a legal obligation to offer the land back to the original owner, before any further alternative use can be considered or implemented.
32. Appendix B – MSC Objection report – page 115/6, points 3.8.1.3.1, 2 & 3 – myself and members of the public have expressed concern about the loss of Cynefin by losing Cradoc Primary School. The council has responded with the suggestion that pupils will not lose Cradoc as part of their curriculum experience, which I consider to be an extraordinary statement? How can pupils keep Cradoc as part of their curriculum experience, if there is no longer a school there?
33. Appendix B – MSC Objection report – page 117, point 3.8.1.5 – the council has responded to a member of the public concerned about fewer people wanting to move to rural areas if there are no

schools there, by suggesting people move to other areas including urban areas instead. This authority is already falling short of its LDP commitments by having many people already leaving not only rural areas, but the county as a whole. This response shows a widespread lack of ambition within the authority to address the issue of people leaving Powys, closing our rural schools will only make this issue worse.

34. Appendix B – MSC Objection report – page 119, 3.9.1.1 – the council has responded to concerns about additional travel with a response that is unproven and unmeasured, without adequate consideration about the impact to climate change and the environment.
35. Appendix B – MSC Objection report – page 120/121, points 3.9.2.1 to 9, the council has responded to concerns about increased traffic and congestion within Brecon town by only committing to carry out an assessment when developing plans for a new building one day in the future. This assessment should have been carried out before putting these plans forward for consideration. Asking decision making Cabinet members to make a decision without any indication about the consequences to traffic congestion and increased pollution to Brecon residents is unacceptable.
36. Appendix B – MSC Objection report – page 122, point 3.9.4 – a Brecon resident has indicated a lack of public transport within the town, which means some children in some areas of the town will not be able to get to a new school via public transport. The council has responded only by ‘noting this concern’, indicating no commitment to improve public transport if a new school is to be built.
37. Appendix B – MSC Objection report – page 136/137, points 4.1.4.1 to 5 – the council has responded to concerns from members of the public about the welfare and impact on young children forced to move schools with a copy & paste response from responses to other questions within the paper. I think parents and children deserve a better response, indicating a better understanding of their concerns and a meaningful commitment to take those concerns into account and deal with them from this authority.
38. Appendix B – MSC Objection report – page 140.141, points 4.1.5.1 to 4 – members of the public have indicated their wish that children deserve to be educated in the environment where they live when a school is already within the area. The council has responded by suggesting that as primary school children have to travel longer distances to school in other parts of the county,

where there is no school, this justifies the closure of Cradoc School. I disagree with the council's response.

39. Appendix B – MSC Objection report – page 142, point 4.1.6.1 – a member of the public has asked what will it take for the council to listen to the views of dedicated and expert staff within our schools, and families who disagree with the current proposals. The council has responded by indicating the method of recording views and mentioned the consultation period, but as there has been a significant response from the public about these proposals, I have to share the concerns that very few people who have taken part in the consultation process, have been listened to at all. If they had been listened to, I'm sure the current proposals would be off the table by now.
40. Appendix B – MSC Objection report – page 143, point 4.1.6.4, 5 & 6 – a member of the public has asked what will be 'improved' within the 'improved learner entitlement' cited by the council as a reason to build a new school in Brecon. A very long response (3 pages) has been issued by the council, but I consider the response to be questionable, particularly following an earlier response to point 3.4.4.1, where the council confirm 'Should the proposals be implemented, the new school would provide similar facilities as currently in Mount Street and other schools'. The two statements contradict each other and confirm that there will be no improvement to learner entitlement at all.
41. Appendix B – MSC Objection report – page 146, 147, 148, points 4.2.1.1 to 6 – a number of concerns have been raised by members of the public about the impact on pupils with additional learning needs. The council 'notes this concern' again, and claims it recognises the support provided by specialist provisions but; I am currently sat in a School Governor Briefing meeting (7:15pm 3<sup>rd</sup> March) where it has been made very, very clear, that ALN provision should be provided **as close to pupils homes as possible**. The closure of three schools, forcing pupils with ALN to travel further to school, goes very firmly against that directive.
42. Appendix B – MSC Objection report – page 154 to 160, points 4.3.1.1 to 4.3.2.11 – a number of members of the public have expressed their concern about the impact on staff members who may lose their jobs and face prolonged uncertainty following the closure of a school. The council has not responded with a suitable response to indicate the effect this will have on staff who lose jobs following the introduction of stage 2.
43. Appendix B – MSC Objection report – page 161, point 4.4.1 – a member of the public has indicated that there is evidence to show that small schools, if run and managed properly, can provide an equal if not better all round education for children. The council

responds by confirming none of the 3 schools are 'small schools', yet during a debate in full council today (3<sup>rd</sup> March 2022) about the closure of schools in South Powys, education officers and the portfolio holder for education repeated their claim that the schools under discussion (to include the Brecon cluster) will struggle to deliver the curriculum! If this authority acknowledges that the Brecon schools and Cradoc CP School CAN deliver the new curriculum, can this PLEASE be made clear to decision making Cabinet members?

44. Appendix B – MSC Objection report – page 163/164, points 4.4.2.1 to 6 – members of the public have highlighted how important rural schools are for their community. The council has acknowledged this, but claimed they have complied with the requirements of Welsh Government's schools organisation code. They have not. The school organisation code specifies very clearly that rural schools need to be treated differently to urban schools. As only one 'project' has been created, involving 2 urban and 1 rural school, all three schools have been treated in the same way. This goes against the rules laid out in the school organisation code.
45. Appendix B – MSC Objection report – page 164, point 4.4.2.7 – a member of the public has indicated that in 2019, ERW produced a report that illustrated that rural school pupils scored higher in wellbeing and the desire to learn than that of urban school pupils. The response from the council, merely 'noting the content of the report', without any further contribution whatsoever, indicates a significant lack of acknowledgement by this authority of the benefits a rural school education delivers for the children of Powys.
46. Appendix B – MSC Objection report – page 165/166, points 4.4.3.1 to 6 – the council has responded to a number of points raised by members of the public about the effect on rural schools in Powys with yet another copy & paste response. In it, the council maintains it wants to deliver 'A world class rural education system that has learner entitlement at its core.', whilst conducting the exact opposite activity by closing rural schools, thus removing the entitlement of rural school children to maintain their rural education. Moving a rural school to an urban setting does not mean that that new urban school can be classed as a rural school. An urban school, in an urban setting, is and always be, an URBAN SCHOOL!
47. Appendix B – MSC Objection report – page 166/167, points 4.4.4.1 to 7 – the council has responded to a number of issues raised by members of the public with a claim that it has complied with the requirements of the school organisation code's presumption against the closure of rural schools. I believe this to

be a false statement by the council, as the rural Cradoc CP School has been treated in exactly the same manner, and in the same 'project', as both urban Mount Street schools. The school organisation code clearly states **special attention should be given to rural schools**. Page 6 of the school organisation code (2<sup>nd</sup> edition) reads;

**This second edition of the Code makes special arrangements for rural schools (defined within the Code), establishing a procedural presumption against the closure of rural schools. This requires proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal. These are set out mainly in sections 1.8 and followed through in sections 3, 5, 7 and Annex A of this Code.**

The definition of the word '**special**' in the Oxford English Dictionary states; **better, greater, or otherwise different from what is usual**. By considering the closure of Cradoc CP School in the same 'project' as both urban Mount Street schools, no better, greater or different treatment has been given to Cradoc CP School's rural status whatsoever, compared to the other two urban schools.

A '**more detailed**' proposal to close a rural school, compared to an urban school, cannot be given if considered as part of the same proposal. Neither Mount Street schools are rural schools, so should **not** be treated as such by being considered within the same proposal as a separate rural school.

48. Appendix B – MSC Objection report – page 167/168, points 4.4.4.8 to 12 – the council has responded to a number of concerns raised by members of the public about rural school closures being treated the same as urban school closures by claiming the Welsh Government's school organisation code does not say that rural and urban schools must be treated differently. As pointed out above at #47, rural schools need a 'more detailed' and 'special' set of procedures when faced with the prospect of closure. By definition, this means rural schools **must be treated differently**. The action of Powys County Council indicates it refuses to acknowledge and recognise the difference between rural and urban schools and, alongside the refusal to treat rural schools differently, the authority is driving a coach and horses through the spirit of the school organisation code, designed to protect rural schools from closure.
49. Appendix B – MSC Objection report – page 171, points 4.5.1.1 to 3 – the council has changed the proposal to build a 180 pupil

school in Sennybridge to a 150 pupil school. This is a significant change to what was consulted upon.

50. Appendix B – MSC Objection report – page 183, point 4.6.2.2 – the council has responded to a point I made about the authority closing schools ‘to realise a financial saving’ by claiming this is one of ten reasons to close the schools. The amount of money the authority believes it will save has changed throughout this process, I don’t believe any money will be saved at all.
51. Appendix B – MSC Objection report – page 186/187, points 4.6.4.1 to 4 – members of the public have informed the council that currently, both Mount Street schools receive a grant from the Ministry of defence. If these schools are merged into one, only one grant will be forthcoming from the MOD, rather than 2. I don’t believe the council has taken this into account when projecting a financial saving for stage 1 of £6,400, which will result in an overall financial loss to the authority.
52. Appendix B – MSC Objection report – page 188, point 4.6.5.3 – a member of the public has expressed concern about the number of houses likely to be built in the area and that, if the current proposals go ahead, there will not be enough education provision in the area. The council’s response acknowledges that new houses are likely to be built and that some houses are already being built, but these extra dwellings have not been taken into account when projecting future pupil numbers. It would therefore be irresponsible for this council to proceed with new school proposals with the knowledge that there may not be enough school places in the near future.
53. Appendix B – MSC Objection report – page 192/193, point 4.7.3.1 & 2 – two points have been raised about the council breaching the well being of future generations act by proceeding with these proposals. The council has responded by indicating this has been included in the impact assessment and that Cabinet need to take this into account when determining whether or not to proceed. I urge all Cabinet members to fully consider this please.
54. Appendix B – MSC Objection report – page 196, points 4.8.9 & 10 – two points have been raised about the inaccuracy of the catchment maps used by the council. The council has responded by confirming it is in the process of drafting catchment maps that will be consulted upon soon. If the current maps or catchment area statistics are inaccurate then why are they being used currently to determine the statistics to show how many pupils are closest to each school?
55. Appendix B – MSC Objection report – page 196, points 4.8.12 & 13 – the council has stated that all Cabinet members consider

information and make decisions, regardless of their political affiliation. I find this statement to be particularly alarming, as it clearly indicates a lack of political leadership, standards, and any commitment made to members of the public when standing to be elected to represent the views, ethics and directive of a political party.

56. Appendix B – MSC Objection report – page 200 to 203, points 4.10.3.1 to 9 – the council has responded to a number of points by listing the various options considered for this proposal. The option to **New build Cradoc, New build Brecon primary school, keep Sennybridge school with some improvements** has not been considered. The council has an obligation to consider all options, it has not done that. This goes against the school organisation code and, the authority's own constitution.
57. Appendix B – MSC Objection report – pages 220 to 224, points 4.11.5.1 to 4.11.6.12 – a number of points have been made about predetermination and responses from the public not being listened to. I have to say that following my attempts to raise the plight of Cradoc School and my time on Cabinet, I agree with these concerns.
58. Appendix B – MSC Objection report – page 231 to 233, points 4.11.11.1 to 3 – further points have been made about the council breaching its own constitution. I refer to my response to # 56 above.
59. Appendix B – MSC Objection report – page 276, point 4.12.4.58 – the council has responded to concerns about very young children having to walk a long distance, over different road crossings and up a steep hill without confirming what plans are in place to deal with this other than saying it will consider this when developing a new school some time in the future. This is a significant concern because if no suitable measures can be set in place to ensure the safety of young children walking to school, the new school will not be built.
60. Appendix B – MSC Objection report – page 305, point 4.12.5.5 – the council has responded to concerns about the lost of facilities for children in area with a response indicating that community activities of a play area may be enabled sometime in the future. A vague response showing a lack of commitment cannot be used as justification to carry out these proposals.
61. Appendix B – MSC Objection report – page 308, point 4.12.5.10 – the council has responded to concerns from both Estyn and members of the public, about families leaving the community, without any considered response to acknowledge this issue, or propose any measures to deal with this whatsoever. We already

have young families leaving Powys, the closure of rural schools like Cradoc will only accelerate this problem. Cabinet need to take this proposal off the table immediately, and commit to building a new school in Cradoc, to not only serve the educational needs of children in the area, but also ensure we have people moving INTO the area, rather than out of it.

62. Appendix B – MSC Objection report – page 311/312, point 4.12.7.3 – I raised this point about the inaccuracy of a claim made by the council about excessive disruption to pupils should a new school be built in Cradoc. The council has responded by suggesting this was not a reason why a new school in Cradoc was discounted, but it was listed as a disadvantage.

I urge all Cabinet members to please read all the above points (I'm sorry there are so many!) and come to the conclusion that closing Cradoc CP School would be the wrong decision. Closing the school under the current proposals would be a breach of the school organisation code. The process breaches this authorities own constitution. Significant feedback sent to the authority demonstrates public feeling against this proposal. Closing the school would have a significant impact on children in the area and, as confirmed by Estyn, would lead to young families leaving the area.

Please do not do this!

## **7. Integrated Impact Assessment**

- 7.1 An initial impact assessment was considered by Cabinet on the 26<sup>th</sup> 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 The draft impact assessments were updated to reflect issues raised during the consultation period and the updated impact assessments were considered by Cabinet on the 14<sup>th</sup> December 2021 when considering whether or not to proceed with the publication of a statutory notice.
- 7.4 These have been further updated following the objection period, and the updated versions are attached as Appendix C.

## **8. Recommendation**

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



- To approve the following proposals in respect of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School:

### **Phase 1**

#### **From 31 August 2023:**

*To discontinue the following three schools which are maintained by Powys County Council:*

- *Mount Street C.P. Infants School, Rhosferig Road, Brecon, Powys, LD3 7NG (“Mount Street Infants School”);*
- *Mount Street C.P. Junior School, Brecon, Powys, LD3 7LU (“Mount Street Junior School”);*
- *Cradoc Community Primary School, Cradoc, Brecon, Powys, LD3 9LR (“Cradoc C.P. School”).*

#### **From 1 September 2023:**

*To establish a new English-medium community school maintained by Powys County Council for boys and girls aged 4-11 years old (“the New School”), that will operate on the current sites of Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School.*

### **Phase 2**

#### **From 2025/2026:**

*The Council proposes to make a regulated alteration to transfer the New School to a new building on the former Brecon High School site, Penlan, Brecon, Powys, LD3 9SR.’*

- In accordance with the Scheme for Financing Schools, to introduce the following restrictions on Mount Street Infants School, Mount Street Junior School and Cradoc C.P. School:
  - Spend at the three schools is restricted to that included in its 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.
- To proceed with implementation of Phase 1 of the proposals by establishing a temporary governing body to work with the Council to establish the new school.

- To prepare for implementation of Phase 2 by commissioning feasibility works on the Penlan site and developing a Strategic Outline Case (SOC) for consideration by Cabinet.

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CABINET REPORT TEMPLATE VERSION X