



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**28 JANUARY 2021**

## **21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME – PROPOSALS TO IMPROVE EDUCATION PROVISION FOR YSGOL GYNRADD GYMRAEG LLYN-Y-FORWYN**

### **REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES**

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Schools and Transformation**

#### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek Members approval to begin the relevant and required statutory consultation for the proposal to:
- Carry out a regulated alteration to Ysgol Gynradd Gymraeg Llyn-y-Forwyn (“YGG Llyn-y-Forwyn”), by way of transferring the school to a new building on a new site.

#### **2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Note the content of this report;
- 2.2 Give formal approval to commence consultation with relevant stakeholders on the proposal to transfer the current YGG Llyn-y-Forwyn to a new building on a new site whilst maintaining the existing catchment area for the school;
- 2.3 Note any proposal, should it be approved following completion of the required statutory processes, would be implemented by March 2024; and
- 2.4 Subject to 2.2 above, give delegated authority to the Director of Education and Inclusion Services to make any minor changes that are required to the proposed consultation document (attached at Appendix B to the report) prior to its publication and the consultation commencing.

#### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To increase capacity and improve the quality of the Welsh medium primary education provision available to learners in the Rhondda Fach area of Rhondda Cynon Taf.

## **4. BACKGROUND**

- 4.1 The Council school modernisation programme has been successfully making excellent progress in modernising our school estate, meeting demand for places and expanding pupil places where required including early years. The Council has been building new schools, remodelling and redeveloping schools across the County Borough providing 21<sup>st</sup> Century learning environments for our pupils, staff, parents and the wider community.

As part of the continuation of the programme urgent investment is needed to replace YGG Llyn-y-Forwyn which is currently one of the poorest buildings in the education portfolio. The rationale for bringing this proposal is set out in detail in the draft consultation document attached at Appendix B to this report.

### **The School**

- 4.2 YGG Llyn-y-Forwyn is a traditional stone Victorian school building. The school is made up of two buildings set within an enclosed constrained site. A site condition survey conducted in 2019, indicated a grading of 'D' for condition and 'C' for suitability (where 'A' is the highest and 'D' is the lowest performing).
- 4.3 The current school is not accessible and as such not compliant with the Equality Act 2010, and given the restrictions of the site there is little that can be done to remedy this. The opportunities for outdoor play are limited; there are no external green spaces available and all of the hard play areas are affected by the sloping topography. There is no on-site staff car parking available which means that staff have to park in the neighbouring streets and the home to school transport drop-off area is located in the street below.
- 4.4 The school currently has a maintenance backlog in excess of £1.01Million.
- 4.5 The Estyn inspection carried out in January 2019 judged the school's current performance in all 5 inspection areas as 'good'. However, in their report Estyn commented on the outdoor areas of the school in that they 'have not been developed to the same standard, and use of them is very limited'.
- 4.6 Therefore, to address these issues, it is proposed a new Welsh medium primary school be created on a new site, with an investment in the region of £8.5Million to improve and expand facilities.
- 4.7 This investment would include:
- modern, flexible learning environments for all learners, a hall/dining area, and a multi-purpose learning resource area;
  - accessible internal and external facilities for wider community use;

- enhanced outdoor spaces to support the full range of curriculum activities, including an outdoor classroom and a 'forest schools' area; and,
  - improved traffic management including on site pupil bus drop off, and on site staff parking.
- 4.8 The new school would be built in accordance with Building Bulletin 99 and would be fully accessible and compliant with the Equality Act 2010.
- 4.9 65% of pupils that attend YGG Llyn-y-Forwyn use Home to School Transport. At the current site there are no drop off facilities with vehicles utilising the neighbouring streets for drop off and pick up at the beginning and end of the school day. The new school site will have dedicated on-site drop off and pick up facilities making this process safer, less disruptive for the community, and more manageable for staff at the school.
- 4.10 The investment would also include a review of safe routes to school and, if required, an investment in improvements to walkways, road crossings and traffic calming measures to ensure the required safety standards are met. This is the approach the Council has implemented in other communities through delivering the 21<sup>st</sup> Century Schools Programme with significant improvements being made.
- 4.11 To achieve these proposals, the Council is seeking to transfer the current YGG Llyn-y-Forwyn to a new building on a new school site. The catchment area of YGG Llyn-y-Forwyn would not be altered.
- 4.12 The proposal would create additional Welsh medium capacity within the Rhondda Fach area of Rhondda Cynon Taf and would contribute to the Welsh Government's ambition to have one million Welsh speakers across Wales by 2050. It would also support the delivery of some of the targets that are included within the new 10 year Welsh in Education Strategic Plan that will be brought before Cabinet in the coming months.

### **The Site**

- 4.13 The new school building is proposed to be built on the land north side of Highfield, Ferndale, CF43 4AD, known locally as the former 'Chubb Factory'. This site was chosen as the preferred location for the school following a site appraisal of 11 areas, all located within the Rhondda Fach and each identified as potential candidate sites. Each site was appraised initially on its ability to meet the following criteria:
- Have an adequate site area;
  - Have satisfactory access which is capable of being improved;
  - Is free from any visual incumbents;
  - Close proximity to the current school;
  - Is a viable development opportunity subject to a detailed feasibility study.

- 4.14 Following visual inspections of all sites undertaken by officers from Corporate Estates, and applying the identified criteria, the 11 sites were able to be quickly narrowed to just 3, these were:
- Candidate Site 2 (Land adjacent to Ferndale Swimming Pool);
  - Candidate Site 10 (Former Chubb factory site);
  - Candidate Site 3 (Land adjacent to the south of Ferndale Community School).
- 4.15 Further feasibility and site investigations focussed on just these 3 candidate sites which ultimately resulted in the former Chubb Factory site identified as the preferred location for YGG Llyn-y-Forwyn. This conclusion was reached for a number of reasons including its size, the existing infrastructure, current access arrangements, and its proximity to the existing school.

A map showing the locations of the existing school and the preferred site is included at Appendix A.

## **5. EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1 The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.
- 5.2 Equality, Welsh Language and Community Impact Assessments are being prepared in respect of this proposal and would be published on the Council's website together with a consultation document that outlines the proposal in further detail and in accordance with the requirements of Welsh Government's School Organisation Code (2<sup>nd</sup> Edition) (011/2018) (the "Code").

## **6. CONSULTATION**

- 6.1 The consultation processes in respect of this proposal would be undertaken under the arrangements outlined in the Code and the 'Changes to the School Organisation Code in response to the coronavirus outbreak' which were updated on 8<sup>th</sup> January 2021. These arrangements stipulate that consultation must be undertaken when the proposals are at a formative stage and that consultation documents must be prepared and circulated to prescribed consultees, as well as being published on the Council website.
- 6.2 The draft consultation document for the proposal outlined in this report is attached at Appendix B to this report, although it should be noted that this remains a working document which may be subject to some minor changes before the consultation document is formally published and the consultation process commences.
- 6.3 The proposed consultation period, if it is agreed to progress this matter, would run from 1<sup>st</sup> March 2021 to 30<sup>th</sup> April 2021. Details regarding engagement

opportunities would be added to the consultation documents before the formal consultation begins, and would be carried out in line with the latest COVID guidance available at that time.

- 6.4 The proposed potential timetable for completion of each statutory process is set out in the following table:

<b>YGG Llyn-y-Forwyn – Proposed Consultation Timeline</b>		
<b>Action</b>	<b>Detail</b>	<b>Dates</b>
Cabinet Permission to Consult	Cabinet to consider this proposal and give approval to commence consultation.	28 January 2021
Statutory Public Consultation	A consultation document would be published on the Council website for a minimum of 6 weeks.	March 2021
Report back to Cabinet	Cabinet would consider the consultation response report and determine whether to publish the report and approve the publication of the proposal in the form of a statutory notice.	May 2021
Publish Statutory Notice	The statutory notice must be published for a 28 day period (if approved by Cabinet).	June 2021
Decision by Cabinet	Report back to Cabinet on outcome of statutory notice period and details of objections received, with an appropriate recommendation.	August 2021
Implementation	In accordance with Cabinet decision either status quo or implementation of proposal.	Status Quo: August 2021 New school: March 2024

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications as a result of the recommendations in this report, however should the proposals go ahead a significant capital investment will be required. The funding package will be developed alongside the consultation and decision making process.

## **8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 Part 1 of the Education Act 1996 (“the 1996 Act”) imposes a number of general duties on all local authorities in Wales. The general duty in section 13 of the 1996 Act is to contribute (so far as the Council’s powers enable them to do so) towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.

- 8.2 Section 13A(3) of the 1996 Act states that a local authority in Wales must ensure that their relevant education functions and their relevant training

functions are exercised by the authority with a view to promoting high standards, and promoting the fulfilment of learning potential by every person to whom the subsection applies, including those who are of compulsory school age or are below school age and are registered as pupils at schools maintained by the authority.

- 8.3 Section 14 of the 1996 Act then provides that the Council shall secure that sufficient schools for providing primary education and secondary education are available in the Council's area. Schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity for appropriate education.
- 8.4 Appropriate education means education which offers such variety of instruction and training as may be desirable in view of (a) the pupils' different ages, abilities and aptitudes; and (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.
- 8.5 Powers for councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the Code. Local authorities must, when exercising functions under Part 3 of the 2013 Act, act in accordance with any relevant requirements contained in the Code and must have regard to any relevant guidelines contained in it. A copy of the Code is found here:  
<https://gov.wales/sites/default/files/publications/2018-10/schoolorganisation-code-second-edition.pdf>

## **9. LINKS TO THE COUNCIL'S CORPORATE PLAN/FUTURE GENERATIONS (WALES) ACT 2015**

- 9.1 There are links to RCTCBC's Corporate Plan for the period between 2020 to 2024, specifically the priority:
- Prosperity – Creating the opportunity for people and businesses to be innovative, entrepreneurial and fulfil their potential and prosper
    - Ensuring we have good schools so all children have access to a great education.
- 9.2 Due regard has been made to all seven well-being goals and the Five Ways of Working, as contained within the Wellbeing of Future Generations (Wales) Act 2015 which requires the Council to think about the long-term impact of decisions, on communities to prevent consistent issues such as poverty, health inequalities and climate change.

This proposal would contribute to achieving the wellbeing goals by:

- Improving sustainability of school buildings in the Council portfolio through a commitment to achieving a zero carbon building and building to BREEAM excellent.

- Providing additional school places to meet WG targets and to promote the Welsh language in the Community.
- Opening new community facilities that would create opportunities for local people to utilise.

This proposal would achieve the five ways of working by:

- Creating a new school environment that can deliver the new curriculum for Wales as set out in the national mission statement.
- Provide first class learning facilities for pupils and the wider community and contribute towards a healthier Wales by providing additional outdoor sport facilities for pupils.
- Contributing towards a prosperous Wales by committing to opportunities for local tradespeople and to use local resources, wherever possible to build the new school.
- Engaging with the community on a thorough consultation with opportunities for all stakeholders in the Community to engage throughout the process.

9.3 An Equality Impact Assessment which would include further detail on the contribution of the proposal to the Wellbeing of Future generations Act would form an integral part of the consultation document. This would be available for all stakeholders to view and comment upon as a part of the consultation process. A Welsh Language Impact Assessment will also be undertaken as part of the consultation.

## 10. **CONCLUSION**

10.1 The proposal to construct a new school builds upon the momentum gathered to improve Welsh medium education provision throughout the County Borough, providing improved facilities and increasing the number of pupil places available. This proposed investment in YGG Llyn-y-Forwyn provides the opportunity for more learners to benefit from improved educational facilities taught through the medium of Welsh.

10.2 It is recommended therefore, that Members give approval to officers to commence the consultation processes necessary, in accordance with the School Organisation Code 2018, to achieve the proposal outlined in this report.



**Other Information:-**

***Relevant Scrutiny Committee-***

Children and Young People Scrutiny Committee

***Background Papers-***

None



**RHONDDA CYNON TAF**

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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**28<sup>th</sup> JANUARY 2021**