



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

17TH JUNE 2021

**21ST CENTURY SCHOOLS PROGRAMME - PROPOSALS TO
REORGANISE PRIMARY SCHOOLS, SECONDARY SCHOOLS AND SIXTH
FORM PROVISION IN THE GREATER PONTYPRIDD AREA**

**REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION
SERVICES IN DISCUSSION WITH THE CABINET MEMBER FOR
EDUCATION (COUNCILLOR MRS J ROSSER)**

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1. PURPOSE OF THE REPORT

1.1 The purpose of the report is to provide Members with an update on the proposals to reorganise schools in the Greater Pontypridd area. These proposals are:

- The alteration of the age range of pupils that may be admitted to Cardinal Newman RC Comprehensive School, from 11–19 years to 11–16 years, resulting in the removal of the sixth form provision;
- The closure of Pontypridd High School and Cilfynydd Primary School and the creation of a new 3–16 'all through' School on the site of the current Pontypridd High School. There will be no sixth form provision at this school;
- The closure of Hawthorn High School and Hawthorn Primary School and the creation of a new 3–16 'all through' School on the site of the current Hawthorn High and Hawthorn Primary Schools, with the Local Authority designated ALN specialist class located in Hawthorn High School, as well as the current pupils receiving education through the medium of English at Heol y Celyn Primary School transferring to the new school. There will be no sixth form provision at this school;
- The closure of Ysgol Gynradd Gymraeg Pont Sion Norton and Heol y Celyn Primary School and the opening of a new Welsh

medium Primary School on the site of the current Heol y Celyn Primary School.

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the information contained within the Report.
- 2.2 Note the impact of the Judicial Review on programme and costs.
- 2.3 Agree to delay the implementation date of the proposals in all schools, with the exception of Cardinal Newman CS School, to September 2024.
- 2.4 Note that Outline Business Cases for each of the projects will be submitted to Welsh Government for consideration in July 2021 with a decision expected in August 2021.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To progress the proposals as approved by Cabinet in July 2019, in accordance with the process outlined in Welsh Government legislative guidance (the School Organisation Code) Code 011/2008).

4. BACKGROUND

- 4.1 Members will recall that, at the meeting of the Cabinet held on 31st July 2019, and following a statutory school organisation consultation, approval was given to progress with 3 out of the 4 proposals as consulted upon. The decision to remove the sixth form from Cardinal Newman RC Comprehensive School was deferred to Welsh Ministers in accordance with the Code.
- 4.2 Members will also be aware that since approval was granted the Council has been responding to a legal challenge relating to the proposals in the form of a Judicial Review. On 21st December 2020, the Court of Appeal found in the Council's favour some seventeen months following Cabinet approval.
- 4.3 Work to progress the proposals had to cease during the legal challenge, and as a result the original delivery programed for each of the projects has been severely affected. Since January of this year, work to progress the proposals has recommenced, and a re-programming exercise undertaken, the outcome of which is that the implementation date for the 3 proposals that gained Cabinet approval will be delayed until September 2024. To note, the Council has written separately to Welsh Ministers requesting approval to delay the

implementation of the removal of the sixth form from Cardinal Newman RC Comprehensive School.

- 4.4 In addition to revisiting the delivery programme, a new high level cost exercise has also been undertaken. Costs have been impacted not only by the delay as a result of inflation, but by other external factors such as Brexit and Covid-19, both of which are having a tangible effect on our current projects in terms of negatively impacting cost and programme. Materials including steel and cement are in short supply so as the demand increases so do the costs, as well as making these items more difficult to source in a timely manner.
- 4.5 As well as the external factors, time has allowed us to revisit our original plans and make improvements to the project briefs, delivering improved facilities for the schools involved and supporting the Council as it strives to achieve its net zero carbon targets. As a result, indicative project costs for these proposals now total £56M. To note, this figure includes a substantial risk allowance, and it is wholly anticipated that this figure will reduce as the projects continue to progress. As designs are agreed and site investigations are undertaken, risks are mitigated. To confirm, costs will not exceed the current Capital funding envelope as agreed in principle by Welsh Government.

Individual Project Updates

- 4.6 New 3-16 school on the site of Pontypridd High School
Given that there is no new-build element to this project, it will continue to be designed and project managed in-house by the Corporate Design Team. The window of opportunity to undertake enabling packages of work are restricted to school holidays given that this will continue to be a live school site until handover.
- 4.7 Some complementary works will be carried out at Pontypridd High School this summer, and given the delay, some surveys need to be revisited. Large parts of the school will be refurbished during summer '22 and '23, which will then allow areas of the school to be handed over to reconfigure the new primary area.
- 4.8 As well as the extensive refurbishment and remodelling of the existing building, works will include extensive on-site traffic management improvements, plus a new 3G.
- 4.9 Indicative project costs currently stand at £7.5M.
- 4.10 New 3-16 school on the site of Hawthorn Primary and Hawthorn High
The external consultant team was re-engaged following the Court of Appeal's decision, and this project has significantly progressed.

- 4.11 A competitive tender process has been undertaken and a contractor will soon be appointed on a design and build contract basis to take the scheme forward. Detailed design works will now progress, and we hope that this project will be submitted to Planning by the end of the calendar year.
- 4.12 Works will include a brand new teaching block, demolition of 2 poor quality teaching blocks, on-site traffic improvements including a new car park, pupil drop off and bus turning circle, and refurbishing and remodelling the existing primary school.
- 4.13 Indicative project costs currently stand at £21M.
- 4.14 New Welsh medium primary school in Rhydyfelin
The external consultant team was re-engaged following the Court of Appeal's decision, and this project has significantly progressed.
- 4.15 A competitive tender process has been undertaken and ISG have been appointed on a design and build contract basis to take the scheme forward. Detailed design works will now progress and we hope that this project will be submitted to Planning by the end of the calendar year.
- 4.16 Works will create a brand new 21st Century School, provide new external play areas and MUGAs, deliver traffic improvements including a new car park, and on-site bus drop-off and turning circle.
- 4.17 Indicative project costs currently stand at £13M.
- 4.18 New sixth form block at Bryncelynnog Comprehensive School
The external consultant team were re-engaged following the Court of Appeal's decision, and this project has since progressed.
- 4.19 A competitive tender process has been undertaken and a contractor will soon be appointed on a design and build contract basis to take the scheme forward. Detailed design works will progress, and we hope that this project will be submitted to Planning by the end of the calendar year.
- 4.20 Works will create a brand new sixth form block, deliver new sports facilities, demolish 2 poor teaching blocks, and provide traffic improvements including a new car park and access to the school.
- 4.21 Indicative project costs currently stand at £15M.

5. EQUALITY AND DIVERSITY IMPLICATIONS/SOCIO-ECONOMIC DUTY

- 5.1 Equality and Community Impact Assessments were prepared in respect of this proposal and were published on the Council's website together with the Consultation Document at the time of consultation. These documents can be found at Appendices 1 and 2.
- 5.2 In summary, the outcome of Equality Impact Assessment identified positive and neutral impacts, and no negative impacts, upon the protected characteristics and so it was deemed that approval would be sought to continue to implement the proposal. It also confirmed that the Action Plan within the Equality Impact Assessment will continue to be reviewed throughout the duration of the project delivery period.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 In accordance with the School Organisation Code, a Welsh Language Impact Assessment was prepared in respect of the proposal to build a new Welsh medium school in Rhydyfelin and published on the Council's website together with the Consultation Document at the time of consultation. This document can be found at Appendix 3.
- 6.2 In summary, the outcome of the Welsh Language Impact Assessment was that the proposal would deliver the targets outlined in the Welsh in Education Strategic Plan (WESP), support the aim of Welsh Government's Cymraeg 2050, and it would positively promote Welsh medium education and provide more opportunities to study through the medium of Welsh.

7. CONSULTATION/INVOLVEMENT

- 7.1 The consultation process in respect of this proposal was undertaken under the arrangements outlined in the Welsh Government's School Organisation Code. These arrangements were scrutinised during the Judicial Review and found to have been fully compliant by the Court of Appeal.

8. THE STATUTORY PROCESS

- 8.1 In accordance with the School Organisation Code, Statutory Notices were published and subsequently approved by Cabinet on 31st July 2019.

9. FINANCIAL IMPLICATION(S)

- 9.1 These proposals will deliver circa £56M of investment in building new or refurbishing/remodelling existing school buildings to ensure the

pupils have a high quality, viable and sustainable 21st Century learning environment. Subject to approval, this will be funded by the 21st Century Schools and Colleges Programme, which includes a 65% contribution from Welsh Government, with the Council's 35% share of the capital costs being met through prudential borrowing.

- 9.2 Any revenue and capital costs that accrue in completing the initial designs and preparing financial business cases for Welsh Government approval will be met from within existing budgets.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 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 ensuring that efficient primary education and secondary education is available to meet the needs of the population of their area.
- 10.2 Section 13A (3) of the 1996 Act states that a local authority in Wales must ensure that their relevant education and training functions are exercised by the authority with a view to promoting high standards, and 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.
- 10.3 Section 14 of the 1996 Act requires the Council to secure sufficient schools for providing primary and secondary education 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 all pupils with an appropriate education.
- 10.4 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.
- 10.5 Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the Code 011/2018. 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 most up to date Code is found here:

<https://gov.wales/sites/default/files/publications/2018-10/schoolorganisation-code-second-edition.pdf>

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 11.1 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.
- 11.2 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 constructing 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.
- 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.

- 11.3 The Equality Impact Assessment includes further detail on the contribution of the proposal to the Wellbeing of Future Generations (Wales) Act and this document formed an integral part of the consultation documentation.

12. CONCLUSION

- 12.1 The Council is responsible for delivering high educational standards and efficient primary, secondary and sixth form education provision that serves our local communities. This is achieved by ensuring that the right schools, are the right size, are in the right location and are fit for the 21st Century learner.
- 12.2 Following a robust and comprehensive school reorganisation consultation process in respect of the proposals in the Greater Pontypridd area, Members agreed to progress the proposals in July 2019. Since this time, the legal challenge in the form of a Judicial Review has had an impact upon programme and costs.
- 12.3 Members are asked to consider the changes that have taken place since approval was granted; note the progress made to date; and formally approve a delay to the implementation date which would deliver the proposals by September 2024.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Item:

Background Papers

The background papers included as appendices to the report are:

Appendix 1 - Equality Impact Assessment

Appendix 2 - Community Impact Assessment

Appendix 3 - Welsh Language Impact Assessment

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