



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

20th JULY 2021

PROPOSALS TO ESTABLISH PRIMARY EDUCATION PROVISION FOR THE LLANILID HOUSING DEVELOPMENT

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 this report is to provide an update to Members on the proposal to establish new primary education provision to serve the new housing development at Llanilid, Llanharan. This will be achieved, in the first instance, by treating the new building that will be provided by the housing developers as an extension to the dual-language provision at the existing Dolau Primary School.

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the information contained within the Report.
- 2.2 Agree to delay the implementation date of the proposal to September 2024.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To progress the proposal 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 April 9th 2019, and following a statutory school organisation consultation,

approval was given to progress with the proposals as consulted upon, with an implementation date of September 2021.

- 4.2 As you are aware the housing developer Persimmon Homes, currently building a significant number of new homes in the Llanharan area, are responsible for constructing the new building as a part of their Planning Obligations for the new housing development. Persimmon Homes have had to overcome a number of significant planning constraints, and since 2019 have been collaboratively working and engaging with statutory planning consultees, including Natural Resources Wales and the Health and Safety Executive, to satisfy all obligations.
- 4.3 Persimmon are now confident that all queries raised to date by the statutory consultees have been addressed, and as such are targeting a planning submission date this summer. Given the time that has lapsed and the impact that this has on the original programme, it is evident that the new building will not be constructed by the original date approved by Cabinet.
- 4.4 As a result of this delay, and to mitigate any additional risks that may arise with this project, we request that Cabinet approve a delay to the implementation date by three years, the maximum delay allowed within the School Organisation Code, which will postpone the implementation date of the proposal until September 2024. To note however, Persimmon are optimistic that this proposal will be delivered prior to this end date.

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 the 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 this proposal 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.

8. THE STATUTORY PROCESS

- 8.1 In accordance with the School Organisation Code, Statutory Notices were published and subsequently approved by Cabinet on April 9th 2019.

9. FINANCIAL IMPLICATION(S)

- 9.1 The capital cost of constructing the new school will be met by the housing developers (Persimmon Homes) as part of their Community Infrastructure Levy (CIL) responsibilities. On completion, the developers will hand the building over to the Council.

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:

- 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.
- Engaging with the community on a thorough consultation with opportunities for all stakeholders in the Community to engage throughout the process.

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 school reorganisation consultation process in respect of the proposal, Members agreed to progress the proposal in April 2019. Since this time, the Planning challenges and site constraints faced by the developer Persimmon Homes has had an impact upon the delivery programme.
- 12.3 Members are asked to consider the information contained within this report and formally approve a delay to the implementation date which would deliver the proposals no later than 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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