



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> SEPTEMBER 2021**

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

**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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Transformation**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to advise Members of the outcome of the recent publication of a Statutory Notice in respect of 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 Cabinet:

- 2.1 Note that no objections or comments were received in response to the publication of the statutory notice to progress this proposal.
- 2.2 Agree to implement the proposal with no amendments.
- 2.3 Agree to receive further reports as the project develops and progresses through the Welsh Government’s 21<sup>st</sup> Century Schools and Colleges approval processes.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To implement the proposal in accordance with the process outlined in Welsh Government legislative guidance (the School Organisation Code).

- 3.2 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 Members will recall that, at the meeting of the Cabinet held on 28<sup>th</sup> January 2021, approval was given to begin a process to formally consult on a 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.
- 4.2 Following the conclusion of the consultation period, and at a subsequent meeting of the Cabinet held on 17<sup>th</sup> June 2021, a decision was taken to progress to the next phase of the statutory process and to publish the required Statutory Notice.
- 4.3 The Statutory Notice was published on 25<sup>th</sup> June 2021 which triggered the commencement of the Objection Period. This ran for a period of 28 days. No objections or comments were submitted during this period.

#### **5. EQUALITY AND DIVERSITY IMPLICATIONS/SOCIO-ECONOMIC DUTY**

- 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 and Community Impact Assessments have been prepared in respect of this proposal and 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. WELSH LANGUAGE IMPLICATIONS**

- 6.1 A Welsh Impact Assessment has been prepared in respect of this proposal and 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").

#### **7. CONSULTATION**

- 7.1 The consultation processes in respect of this proposal have been undertaken under the arrangements outlined within 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.

- 7.2 The consultation took place between 1<sup>st</sup> March 2021 and 30<sup>th</sup> April 2021 and full details of this process were published in a Consultation Report, which was presented at the meeting of Cabinet held on 17<sup>th</sup> June 2021 and subsequently published on the Council website.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 Based on current estimates it is proposed that circa £9M is required to build the new school to ensure the pupils of YGG Llyn-y-Forwyn have a high quality, viable and sustainable 21<sup>st</sup> Century learning environment. Welsh Government has recently approved an increase to the funding envelope for the Council's Strategic Outline Programme (SOP) for Band B as part of the 21<sup>st</sup> Century Schools and Colleges Programme, and in accordance with the approval process, business cases will be submitted to the Welsh Government to secure the investment required to deliver this project. If successful, a 65% Capital contribution from Welsh Government will be made. It is proposed that the Council's 35% share of the capital costs will be met through prudential borrowing.
- 8.2 Any revenue and capital costs that accrue in preparing financial business cases for Welsh Government approval will be met from within existing budgets.

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

- 9.1 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.
- 9.2 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.
- 9.3 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.
- 9.4 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.

- 9.5 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>

## **10. LINKS TO THE COUNCIL'S CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

- 10.1 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.
- 10.2 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 Welsh Government 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.

- 10.3 An Equality Impact Assessment, including further detail on the contribution of the proposal to the Wellbeing of Future generations Act, formed an integral part of the consultation document. This was and is still available for all stakeholders to view. A Welsh Language Impact Assessment was also undertaken as part of the consultation and again, this is still available to view on the Council website.

## **11. CONCLUSION**

- 11.1 The proposal to construct a new school build upon the momentum gathered to improve Welsh medium education provision throughout the County Borough. This project will provide significantly improved facilities and increase the number of pupil places available.
- 11.2 This proposed investment for YGG Llyn-y-Forwyn provides the opportunity for more learners to benefit from improved educational facilities taught through the medium of Welsh. It is recommended therefore that Members formally approve the proposal as consulted upon with no amendments allowing the project to progress.

### **Other Information:-**

#### ***Relevant Scrutiny Committee-***

Children and Young People Scrutiny Committee

#### ***Background Papers-***

None

**LOCAL GOVERNMENT ACT 1972**  
**AS AMENDED BY**  
**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
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**21<sup>st</sup> of SEPTEMBER 2021**

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**Background Papers**

None

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