



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

### **CABINET**

**13<sup>TH</sup> DECEMBER 2021**

#### **21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME – PROPOSALS TO IMPROVE ENGLISH MEDIUM PRIMARY EDUCATION PROVISION FOR GLYNCOCH, TONYSGUBORIAU AND MAESYBRYN**

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

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Transformation

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

The purpose of the report is to:

- 1.1 Seek Members' approval to begin the relevant and required statutory consultation for the proposal to amalgamate the currently federated Cefn Primary and Craig-yr-Hesg Primary Schools by:
  - Closing Cefn Primary and Craig-yr-Hesg Primary Schools.
  - Opening a new maintained community primary school on a new site.
- 1.2 Request approval to submit a Strategic Outline Business Case for three Mutual Investment Model (MIM Projects) to the Welsh Government. The three projects are - a new community primary school for Glyncoch (replacing Cefn and Craig-yr-Hesg Primary Schools); a replacement community primary school for Maesybryn Primary School and a replacement community primary school for Tonysguboriau Primary School. Submission of the Strategic Outline Business Case to be subject to the outcome of the statutory consultation in relation to the new community primary school proposed for Glyncoch.
- 1.3 To note that that agreeing to submit the Strategic Outline Business Case does not commit the Council to enter into contractual arrangements in relation to any projects and approval to enter into a

Project Agreement for any of these MIM projects will be brought back to Cabinet in future for determination.

## **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Note the content of this report;
- 2.2 Give formal approval to commence consultation with relevant stakeholders on the proposal to close Cefn Primary and Craig-yr-Hesg Primary Schools and open a new community primary school on a new site to serve the combined existing catchment areas of Cefn Primary and Craig-yr-Hesg Primary Schools;
- 2.3 Note any proposal, should it be approved following completion of the required statutory processes, would be implemented by September 2026;
- 2.4 Subject to 2.2 above, give delegated authority to the Director of Education 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;
- 2.5 Agree to a Strategic Outline Business Case for three proposed MIM Projects being submitted to the Welsh Government – the projects being a new community primary school for Glyncoch; a replacement community primary school for Maesybryn Primary School and a replacement community primary school for Tonysguboriau Primary School. Such submission to be subject to the outcome of the statutory consultation in relation to the new community primary school proposed for Glyncoch, noting that any that formal approval to proceed to deliver any new project will be brought back to Cabinet for further determination.

## **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To increase capacity and improve the quality of the English medium primary education provision available to learners in the Glyncoch area of Rhondda Cynon Taf.
- 3.2 To continue the Council's ambitious school modernisation agenda. These recommendations for three new school buildings at Glyncoch, Maesybryn and Tonysguboriau being aligned with the Welsh Government's 21<sup>st</sup> Century Schools and Colleges Programme funding criteria and seeking funding via the MIM. (MIM is Welsh Government's revenue funding route which enables investment up to a capital value of £500 million across the whole of Wales).

#### **4. BACKGROUND**

- 4.1 The Council's 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 amalgamate Cefn Primary and Craig-yr-Hesg Primary Schools, which are amongst 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.

Also, there is an urgent need to provide replacement school buildings for both Maesybryn Primary School and Tonysguboriau Primary School. To note, no consultations are required for these schools as the project parameters don't meet the threshold required to trigger a statutory consultation in accordance with the School Organisation Code.

- 4.2 Members will recall on 18<sup>th</sup> July 2017, a report was put before Cabinet where members approved the submission of the Strategic Outline Programme (SOP) for Band B of the Welsh Government's 21<sup>st</sup> Century Schools and Colleges Programme. Band B has two different funding routes – a capital funding route and a revenue (MIM) funding route.
- 4.3 The Mutual Investment Model (MIM) is intended to support additional investment in social and economic infrastructure projects and help to improve public services in Wales. Under the MIM, the private sector partners will build and maintain public assets, and in return the Council supported by funding from the Welsh Government will pay a fee to the private partner, which will cover the cost of construction, building maintenance and financing the project. At the end of the contract the asset reverts to the Council.
- 4.4 Three primary schools (for Glyncoch, Maesybryn and Tonysguboriau) are collated as one MIM funding bid to drive financial and construction efficiencies and economies of scale.
- 4.5 The submission of the Strategic Outline Business Case is the first stage of the MIM funding process and is being run alongside the statutory consultation which relates to the Glyncoch school proposal to expedite the targeted delivery date for the three school buildings proposed at Glyncoch, Maesybryn and Tonysguboriau. Any submission

of the Strategic Outline Business Case (SOC) will be made strictly subject to the outcome of the statutory consultation in relation to the new community primary school proposed for Glyncoch. Submission of the SOC is just the initial stage of a lengthy funding process and does not pre-determine any decision in relation to the statutory consultation.

### **Glyncoch Statutory Proposals**

- 4.6 Cefn and Craig-yr-Hesg Primary Schools formed a federation in September 2012 under a single Executive Headteacher and a federated governing body. The schools are known collectively as the 'Fern Federation'. The schools are located just 0.7 miles apart in the village of Glyncoch.

### **The Schools - Glyncoch**

- 4.7 Cefn Primary School is a 1970's single storey steel frame building, set over two levels due to the sloping topography of the site. A site condition survey conducted in 2020, indicated a grading of 'D' for condition and 'D' for suitability (where 'A' is the highest and 'D' is the lowest performing).
- 4.8 The current school is not accessible and as such not compliant with the Equality Act 2010. Given the restrictions of the site, there is little that can be done to remedy this. The low-level perimeter fence to the front of the school site is insufficient to stop individuals accessing the school grounds out of school hours, which gives rise to security and anti-social behaviour concerns. The location of the school, in a residential cul-de-sac, makes drop off and pick up times challenging, with inadequate parking and turning arrangements available for parents.
- 4.9 Cefn Primary School currently has a maintenance backlog of £587k.
- 4.10 By 2025/26, Cefn Primary School is projected to have surplus places of 34.8%.
- 4.11 Craig-yr-Hesg Primary School is a 1950's single-storey flat roof building of brick and block construction, which was extended during the 1990s. A site condition survey conducted in 2019, indicated a grading of 'C' for condition and 'C' for suitability (where 'A' is the highest and 'D' is the lowest performing).
- 4.12 The current school site requires improvement to comply with the Equality Act 2010. The low-level perimeter fence to the front of the school site is insufficient to stop individuals accessing the school grounds out of school hours, which gives rise to security and anti-social behaviour concerns.
- 4.13 Craig-yr-Hesg Primary School currently has a maintenance backlog of £196k.

- 4.14 Craig-yr-Hesg Primary School is projected to consistently exceed its capacity over the next five years.
- 4.15 The Estyn reviews carried out in January 2020 judged that both federated schools had made insufficient progress in relation to the recommendations set out following their core inspections undertaken in September 2018. As a result, both schools were placed in the reported category of 'Significant Improvement'.
- 4.16 Since being placed in the reported category of 'Significant Improvement', both schools have been regularly monitored by the school improvement service (Central South Consortium - CSC). All the progress reports prepared by CSC have shown how the schools have, over time, made improvements and subsequent progress against the recommendations from the original core inspections. The schools are now awaiting their inspection re-visit from Estyn (due 15<sup>th</sup>-17<sup>th</sup> November 2021) who will examine all the evidence collated to date and decide whether the schools have made sufficient progress to be removed from the reported category of 'Significant Improvement'.
- 4.17 Therefore, to address these issues, it is proposed that the two existing schools are amalgamated, and a new English medium primary school be created on a new site, with a capital investment value of £9M to improve and expand facilities.
- 4.18 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 consideration of an on-site drop off facility (subject to further surveys and the transport and traffic assessment) and on-site staff parking.
- 4.19 The new school would be built in accordance with Building Bulletin 99 and would be fully accessible and compliant with the Equality Act 2010.
- 4.20 The only pupils attending Cefn Primary or Craig-yr-Hesg Primary Schools who use Home to School Transport are pupils who attend the Learning Support Class provision at Cefn Primary School. Currently 10 pupils access Home to School Transport for this purpose. Given the close proximity of the existing schools and the proposed new site, it is not anticipated that this will change should the proposal be

implemented. To confirm, both Learning Support Classes will be transferred to the new school.

- 4.21 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 will be introduced 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.
- 4.22 To achieve these proposals, the Council is seeking to close Cefn Primary and Craig-yr-Hesg Primary Schools and transfer all pupils to a new community primary school on a new site. The catchment area for the new school would be an amalgamation of the catchment areas of the existing schools.

#### **The Proposed Site - Glyncoch**

- 4.23 The new school building is proposed to be built on a new site which includes the existing Craig-yr-Hesg Primary School site and land adjacent to it (the former site of the Ty Gwyn Pupil Referral Unit). Given the limitations of both existing school sites, and the challenging topography of the catchment areas, the number of alternative options available for consideration were limited.

Searches of the catchment areas of Cefn Primary and Craig-yr-Hesg Primary Schools were undertaken to identify a suitable site which met the following criteria:

- Have an adequate site area.
- Have satisfactory access which is capable of being improved.
- Be free from any visual incumbents.
- Be in close proximity to the current schools.
- Be a viable development opportunity subject to a detailed feasibility study.

Following the site assessment, a new site which includes the existing Craig-yr-Hesg Primary School site and land adjacent to it (the former site of the Ty Gwyn Pupil Referral Unit) was chosen as the preferred location for the new school. It is felt that this combined site, which is in Council ownership, is of a suitable size to accommodate a larger school building with appropriate external space and facilities, has good access arrangements that could be improved further through the consideration of a dedicated drop off facility (subject to further surveys and the transport and traffic assessment), has good existing infrastructure, and is in a prominent position in the village, close to both existing schools.

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

#### **The School and Site – Maesybryn**

- 4.24 Maesybryn Primary School comprises an original school building constructed in the late 1960s, surrounded by a number of modular buildings added from the 1980s onwards. The main school building is of steel frame construction with a mineral felt flat roof and an elevated section above the hall with a pitched roof. A site condition survey conducted in February 2019, indicated a grading of 'C' for condition and 'C' for suitability (where 'A' is the highest and 'D' is the lowest performing).
- 4.25 The current school requires considerable improvement to comply with the Equality Act 2010. A segment of low-level perimeter fence adjacent to the front entrance of the school site is insufficient to stop individuals accessing the school grounds out of school hours, which gives rise to security and anti-social behaviour concerns. The school is located in a residential cul-de-sac, making drop off and pick up times challenging with inadequate parking and turning arrangements available for parents.
- 4.26 Maesybryn Primary School currently has a maintenance backlog of £429k.
- 4.27 An Estyn core inspection of the school carried out in May 2018 judged that the school was performing well and as such was assigned ratings of 'good' across all five inspection areas.
- 4.28 It is proposed that a new English medium primary school be created on the current site, with a capital investment value of £9 Million to improve and expand facilities, providing a 21<sup>st</sup> Century school constructed to Building Bulletin 99 and being fully accessible and compliant with the Equality Act 2010.

#### **The School and Site – Tonysguboriau**

- 4.29 Tonysguboriau Primary School consists of a main teaching block constructed prior to 1919 with a 1960s timber frame extension. The two buildings are connected by the main hall. The extension is a single storey timber frame structure with external timber cladding and a flat roof. The hall section is also single storey timber frame structure with external timber cladding and shallow pitched roof with a felt covering. A site condition survey conducted in February 2019, indicated a grading of 'D' for condition and 'D' for suitability (where 'A' is the highest and 'D' is the lowest performing). The condition survey also noted that the roof of the original school building is potentially covered in asbestos man-made slate that will need to be replaced in the near future.

- 4.30 The current school site requires improvement to comply with the Equality Act 2010. The main vehicular and pedestrian site entrances are located on a busy residential street within a housing estate, making pick up and drop off times challenging, with inadequate parking arrangements for parents.
- 4.31 Tonysguboriau Primary School currently has a maintenance backlog of £990,919.
- 4.32 An Estyn core inspection of Tonysguboriau Primary School was carried out in April 2015 using the old inspection template. The report judged the school's current performance as 'good' with 'good' prospects for improvement.
- 4.33 It is proposed that a new English medium primary school be created on the current site, with a capital investment value of £9M to improve and expand facilities, providing a 21<sup>st</sup> Century school constructed to Building Bulletin 99 and being fully accessible and compliant with the Equality Act 2010.

## **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, Welsh Language and Community Impact Assessments are being prepared in respect of these proposals. For the proposal that relates specifically to the new school for Glyncoch, this will be published on the Council's website 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 Welsh Impact Assessments will be prepared for each proposal and will be shared with the Review Panel at the appropriate time. For the proposal that relates specifically to the new school for Glyncoch, this assessment will be published on the Council's website in accordance with the requirements of Welsh Government's School Organisation Code (2<sup>nd</sup> Edition) (011/2018) (the "Code").

## **7. CONSULTATION/INVOLVEMENT**



- 7.1 The consultation processes in respect of this proposal in relation to Glyncoch 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.
- 7.2 The draft consultation document for the Glyncoch 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.
- 7.3 The proposed consultation period, if it is agreed to progress this matter, would run from 5<sup>th</sup> January 2022 to 18<sup>th</sup> February 2022. 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.
- 7.4 The proposed potential timetable for completion of each statutory process is set out in the table below:

<b>Cefn &amp; Craig-yr-Hesg Primary Schools Amalgamation – 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.	9 <sup>th</sup> December 2021
Statutory public consultation	Consultation document to be published on the Council website for a minimum of 6 weeks.	5 <sup>th</sup> January 2022
Report back to Cabinet	Cabinet to 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.	March 2022
Publish Statutory Notice	Statutory notice to be published for a 28-day period (if approved by Cabinet).	March 2022
Decision by Cabinet	Cabinet to consider report on outcome of statutory notice period including details of objections received, and an appropriate recommendation.	June 2022
Implementation	In accordance with Cabinet decision, continue with status quo or implement proposal.	Status Quo: June 2022 New school: September 2026

## **8. FINANCIAL IMPLICATION(S)**

8.1 There would be no significant financial implications for school budgets as a result of the recommendations in this report. Some savings would be achieved, for example because the new schools would be maintenance-free and Net Zero Carbon in operation, however other costs, such as business rates, are likely to increase for individual school budgets.

8.2 However, should the proposals go ahead, significant investment will be required. The estimated cost of constructing the three new schools is £27M. If the proposals proceed they will be funded by the 21<sup>st</sup> Century Schools and Colleges Programme, through its MIM model of funding. This is a revenue model of investment whereby payments are made on a monthly basis and include a contribution of up to 81% from Welsh Government. The remaining 19% will be funded by the Council.

There are also some capital elements payable in relation to the MIM schemes and these will be funded 65% by Welsh Government and 35% by the Council, including:-

- loose furniture (FF&E) and ICT:  
Welsh Government's FF&E and ICT rates are currently £1221 per pupil and £555 per pupil respectively, which, based on 1165 pupils, totals £2,069,040, of which Welsh Government will fund 65% (£1,344,876) and the Council will fund 35% (£724,164).
- WEPCo's Stage 1 development fee.

8.3 This funding is subject to approval by Cabinet and by the Welsh Government following the submission of the relevant Business Cases and the receipt of finalised detailed costs which would be brought back to Cabinet in due course, should the proposals proceed.

## **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/school-organisation-code-second-edition.pdf>

## **10. LINKS TO THE 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 Net Zero Carbon in operation school with a BREEAM rating of 'Excellent'.

- Providing new community facilities that can be used by local people.

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 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 in relation to the Glyncoch school proposals. 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.

10.4 An Equality Impact Assessment, a Children's Rights Impact Assessment and a Welsh Language Impact Assessment will also be completed for each project as a part of the Business Case submission process.

## **11. CONCLUSION**

11.1 The proposal to amalgamate Cefn Primary and Craig-yr-Hesg Primary Schools through the creation of a new community primary school will significantly improve English medium primary education in Glyncoch. A new 21<sup>st</sup> Century school with first class facilities, and of appropriate size, will create a learning environment which nurtures and supports pupils and staff and will have a positive impact on the local community.

11.2 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 for Glyncoch outlined in this report.

11.3 The Council is responsible for delivering high educational standards and efficient education provision that serves our local communities. This is achieved by ensuring that modern schools are delivered which

are of a suitable size and provide learners with 21<sup>st</sup> Century learning facilities and the best possible educational opportunities. It is recommended therefore that Members give approval for the submission of a Strategic Outline Business Case to Welsh Government to commence the funding process for new school buildings at Glyncoch, Maesybryn and Tonysguboriau, it being made clear in the submission that the submission is subject to the outcome of the statutory consultation at Glyncoch.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**A DISCUSSION PAPER FOR A PRIVATE MEETING OF THE CABINET**

**29<sup>TH</sup> NOVEMBER 2021**

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

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