



## CABINET – 7TH APRIL 2021

**SUBJECT:** 21<sup>ST</sup> CENTURY SCHOOLS AND EDUCATION BAND B  
PROGRAMME – STATUTORY OBJECTION REPORT FOR  
YSGOL GYMRAEG CWM GWYDDON

**REPORT BY:** CORPORATE DIRECTOR FOR EDUCATION AND  
CORPORATE SERVICES

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### 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to update Members in relation to the 21<sup>st</sup> Century Schools Band B proposal in respect of:
- **Ysgol Gymraeg Cwm Gwyddon**  
Relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose-built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School
- 1.2 The attached Objection Reports and supporting documentation outline the statutory process undertaken and provides clarification in relation to the information provided through consultee engagement, summarising the issues raised on the proposal.
- 1.3 The Objection Report, supporting documentation and recommendations were considered and endorsed by the Education Scrutiny Committee on 22<sup>nd</sup> March 2021.
- 1.4 Cabinet Members are asked to consider the information contained within the Objection Report and supporting documentation and make a final determination.

### 2. SUMMARY

- 2.1 The 21<sup>st</sup> Century Schools Band B proposals for Ysgol Gymraeg Cwm Gwyddon went to formal Statutory Notice stage between the 11<sup>th</sup> January 2021 and the 7<sup>th</sup> February 2021.
- 2.2 To discharge the Council's duty under the School Organisation Code 2018, there is now a requirement for Cabinet members to give due regard to the content of the Objection Report and make a final determination as whether to implement the proposal as outlined in the documentation.
- 2.3 Should Cabinet authorise progression of the project, a Decision letter will be published setting out clearly the reasons for the decision with reference to the School Organisation Code 2018.

2.4 A full Business Case will then be submitted to Welsh Government.

### **3. RECOMMENDATIONS**

3.1 Members are asked to:

- a) To seek a final determination by Cabinet Members on the recommendations made within the Objection Report to progress to implementation phase.

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To ensure that Members are updated on the progress of the 21<sup>st</sup> Century Schools and Colleges programme prior to making a final determination in respect of the Ysgol Gymraeg Cwm Gwyddon proposal and publish a Decision Letter in accordance with the requirements of the School Organisation Code 2018.

### **5. THE REPORT**

#### **5.1 Band B**

5.1.1 The key aims of the 21st Century Schools and Education Band B investment programme, outlined by WG, is to:

- Reduce the number of poor condition schools.
- Ensure that we have the right size schools in the right location, providing enough places to deliver Welsh and English medium education.
- Ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community.

5.1.2 The first two schemes identified as priority for Phase 1 of the Band B programme are the expansion of Trinity Fields Special School and the relocation and expansion of Ysgol Gymraeg Cwm Gwyddon.

5.1.3 Further to Cabinet approval gained 9<sup>th</sup> December 2020, a Statutory Notice for the Ysgol Gymraeg Cwm Gwyddon proposal was published, and the formal objection period ran between 11<sup>th</sup> January 2021 and 7<sup>th</sup> February 2021. All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request.

5.1.4 A prescribed list of recipients as outlined in the School Organisation Code 2018 were written to and a Statutory Notice was published electronically on the Council's website.

5.1.5 Hardcopies of the Statutory Notice were made available to the school and displayed in the school foyer, entrance gates and in close proximity to the proposed land for the developments, namely the North and South entrances to the former Cwmcarn High site. In addition, the school's internal communication network with parents and pupils was used to raise awareness of the process and publication of the Statutory Notice.

- 5.1.6 In light of the Covid restrictions imposed at the time of publication, Welsh Government issued a modification to the School Organisation Code 2018 which temporarily modifies section 4.1 of the Code in respect of the manner of publication of the statutory notice, as if the references to “school day” to now include a day on which there would have been a school session, but for any restriction on the attendance of pupils at the school in connection with the prevalence of coronavirus. Welsh Government confirmed that if a school was open to support keyworker or vulnerable pupils, as in the case of all the schools in Caerphilly, this would also be accepted as a ‘school day’ for the purposes of discharging this requirement under the code.
- 5.1.7 The Statutory Notice was published on a school day and consultees were given 28 days to respond to the document, with at least 15 of these being school days as defined by Section 579 of the Education Act 1996.
- 5.1.8 The objection period opened on Monday 11<sup>th</sup> January 2021 (a school day) and concluded at midnight on Sunday 7<sup>th</sup> February 2021 to provide adequate time for response and conscientious consideration has been given to any responses received.
- 5.1.9 Under Section 49 of the School Standards and Organisation (Wales) Act 2013 when objections have been received proposers must publish a summary of the statutory objections and the proposer’s response to those objections (“the Objection Report”. The Objection Report in relation to the Ysgol Gymraeg Cwm Gwyddon proposal has been compiled and attached as an annex to this report.
- 5.1.10 The Objection Report and Decision Notice will be published electronically on the 21<sup>st</sup> Century Schools page on the Council’s website. Hard copies will be available on request.

## 5.2 **Conclusion**

Pursuant to the requirements of the School Organisation Code 2018, the formal statutory objection period has now concluded in relation to the Ysgol Gymraeg Cwm Gwyddon proposal and this report has been compiled to provide members with the necessary information to make an informed decision as to the final determination in relation to the proposal.

## 6. **ASSUMPTIONS**

- 6.1 No assumptions have been made in relation to this report as it merely updates on the progress of individual projects.

## 7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 It is the recommendation of this Integrated Impact Assessment and in line with the processes outlined in the School Organisation Code 2018 that Members endorse the proposal to relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose-built Welsh-medium provision school to be situated at the former Cwmcarn High School site.

The information gathered and reviewed as part of this IIA and through the consultation phase and formal objection period demonstrate the growing demand for Welsh medium education and the benefits of providing this through a single,

integrated facility in the Islwyn East area. Whilst concerns relating to the proposed location (Cwmcarn High School) and the impact on the local community in relation to English medium secondary provision has been identified, supporting evidence provided as part of the Consultation Report and Objection Report clearly establish that investment as proposed into a Welsh medium primary provision is warranted.

Therefore, Cabinet Members are asked to consider this Integrated Impact Assessment alongside the Objection Report and provide a final determination in support of progressing to full implementation of the project which involves full business case submission to Welsh Government and Property Services undertaking their full statutory planning application process

### **Link to full Integrated Impact Assessment**

## **8. FINANCIAL IMPLICATIONS**

- 8.1 Members have previously agreed to earmark a total of £6.975m for Band B of the 21st Century Schools & Colleges Programme.
- 8.2 Phase 1 of the programme, YGG Cwm Gwyddon and expansion of totals £9,632,127. The Authority's contribution within this sum is £3,266,332.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 These will be dependent on specific proposals and have been considered as part of the consultation process.

## **10. CONSULTATIONS**

- 10.1 The draft report was distributed as detailed below. All comments received have been reflected in this version of the report.

### **10.2 SCRUTINY COMMITTEE COMMENTS**

Members received contributions from a parent governor at Ysgol Gymraeg Cwm Gwyddon, one of the Ward Members Cllr Whitcombe, a Cwmcarn resident and a presentation from the 21<sup>st</sup> Century Schools Manager.

One Member asked about future expansion opportunities for English-language provision on the site. The 21<sup>st</sup> Century Schools Manager advised that there was no evidence to suggest there was a need for expansion of English-medium schools. It was explained that there was adequate provision to accommodate catchment demand and that there were surplus places in both Primary and Secondary provision.

The 21<sup>st</sup> Century Schools Manager also provided a response in relation to a matter raised in the presentation by the Cwmcarn resident regarding lack of financial investment for English Medium Schools within the locality. It was confirmed that there had been an investment of circa £6.2m into the English Medium schools over the last ten years.

Following consideration and discussion the Education Scrutiny Committee by a majority present, and in noting in that there were fourteen votes for, no abstentions

and one vote against, ENDORSED the recommendation of the 21st Century Schools and Education Band B Programme – Statutory Objection Report for Ysgol Gymraeg Cwm Gwyddon.

## **11. STATUTORY POWER**

### **11.1 School Organisation Code 2018 (Welsh Government) School Standards & Organisation (Wales) Act 2013**

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**Background Papers:**

**Appendices:**

Appendix 1 Objection Report – Ysgol Gymraeg Cwm Gwyddon

Appendix 2 Integrated Impact Assessment