

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

5 July 2022

**REPORT AUTHOR: County Councillor Pete Roberts
Cabinet Member for a Learning Powys**

REPORT TITLE: Llanbedr C. in W. School

REPORT FOR: Decision

1. Purpose

1.1 The aim of this paper to seek Cabinet approval to delay implementation of the proposal to close Llanbedr C. in W. School from the 31st August 2022 to the 31st August 2023, and to commence an area review of the Crickhowell catchment.

1.2 This paper is supported by the following appendix:

- **Appendix A** – Additional information – Llanbedr C. in W. School (Confidential)

2. Background

2.1 On the 8th March 2022, Cabinet considered an Objection Report in respect of a proposal to close Llanbedr C. in W. School.

2.2 Having considered the Objection Report, Cabinet approved the following recommendation:

'To approve the proposal to close Llanbedr C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools.'

2.3 As Llanbedr C. in W. School is a Church in Wales Voluntary Aided school, the School Organisation Code includes provision for the decision to close the school to be referred to Welsh Ministers for review within 28 days of the decision.

2.4 As it was expected that the decision would be referred to the Welsh Ministers, and that implementation would need to be delayed whilst the review took place, no action was taken to commence implementation of the decision immediately following Cabinet's decision. However, the decision was not referred to the Welsh Ministers within 28 days.

- 2.5 Because of this, the necessary processes which would need to be undertaken to implement the proposal from the 31st August 2022 have not been carried out.
- 2.6 It is therefore recommended that closure of the school is delayed for a period of 12 months.
- 2.7 It is also recommended that an area review of the Crickhowell catchment is undertaken, to identify a preferred way forward for the whole catchment.

3. Advice

- 3.1 The School Organisation Code (2018) states the following in respect of implementation of proposals:

‘Where a proposal has been determined by the local authority under section 53 of the 2013 Act the local authority itself may determine to delay, bring forward or abandon the proposal.’

- 3.2 It is therefore advised that the proposal to close Llanbedr C. in W. School is delayed by a period of 12 months to the 31st August 2023.
- 3.3 If agreed by Cabinet, stakeholders will be notified of this change in accordance with the requirements of the School Organisation Code.
- 3.4 The Council will also commence an area review of the Crickhowell catchment to identify a preferred way forward for the whole catchment. A further paper outlining the proposed way forward for the Crickhowell catchment will be brought back to a future Cabinet meeting.

4. Resource Implications

- 4.1 The amount of funding provided to schools is driven by the funding formula. Any change to the formula funding provided will impact on the Council's revenue budget. When the proposal to close Llanbedr C. in W. school was first considered, it was estimated that the Council's revenue budget would benefit from a saving of around £101,000 per annum (£153,500 from formula funding plus £9,000 from catering cost savings, reduced by estimated additional transport costs of £43,700 and a potential loss of funding for pupils that may attend schools out of county of £17,700). Changes in pupil numbers across all schools affected and the phasing in of a new funding formula mean that these savings estimates will have changed.
- 4.2 When school budget allocations were issued, Llanbedr C. in W. School received a full year's funding for 2022-23 and indicative allocations through to 2024-25. After the decision was taken by the previous Cabinet to close the school on 8th March 2022, this was changed to provide a funding allocation for the five months to 31st August 2022

only, with the balance for 2022-23 being retained within the schools delegated budget. Delaying the closure of the school to 31st August 2023 will mean reinstating the full year budget, requiring **£59,000** funding in 2022-23 (£79,200 formula funding and £5,300 catering funding reduced by £25,500 additional transport funding no longer required). In addition to this, it is estimated that a further **£39,500** will be required in the 2023-24 financial year for the five months to 31st August 2023. The potential loss of revenue support grant (RSG) funding as a result of pupils attending schools outside of the county (estimated at £17,700 per annum) will also be delayed by a year.

- 4.3 Funding is available for the £59,000 within the delegated school contingency budget, which is held centrally for unforeseen issues that arise during the year (including helping schools to manage the net costs of maternity cover, any required recalculations of formula funding and so on). Any balance at the end of the financial year is distributed to all schools. The additional £39,500 for 2023-24 will have to be factored into the formula for next financial year and funded from of the overall schools delegated budget. The primary phase formula changes and school closures were expected to redistribute funding from small schools to larger primaries and to secondary phase schools. This proposal will limit the ability to move funding as originally planned.
- 4.4 There may also be a financial impact associated with work needed in respect of the school building. Further information is provided in Appendix A. This would have to be funded from the Schools Major Improvements Programme 2023/24.
- 4.5 The Head of Finance (Section 151 Officer) I note the resource implications set out above of the recommendation to delay the closure implementation by 12 months. The use of the contingency budget to reinstate funding to Llanbedr C in W School will limit the ability of the Schools Service to manage unforeseen issues that arise during the year and carries an element of risk. The allocation required for 2023-24 will be drawn from the delegated formula budget, which will affect funding for all other schools. The Schools Major Improvement Programme is already under significant pressure, redirecting these funds if required will limit the other projects that can be delivered.
- 4.6 If agreed by Cabinet, Human Resources colleagues will work closely with the school governors, management and staff to ensure that the appropriate employment processes are followed and that the staffing levels are retained at the most suitable level.

5. Legal implications

- 5.1 Legal: the recommendations can be accepted from a legal point of view

- 5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: “ I note the legal comment and have nothing to add to the report”.

6. Data Protection

- 6.1 N/A

7. Comment from local member(s)

- 7.1 Cllr Matt Beecham (Crickhowell with Cwmdru and Tretower):

‘Cllr. Sarah-Jane and I have always been vehemently opposed to the closure of Llanbedr and we welcome the proposed stay of execution pending a review of the Crickhowell catchment area. The majority of parents and supporters of the school are realistic to the fact that the status quo cannot be maintained, and a different method must be found to genuinely transform education within Powys. However, the proposal to close a strong local primary school remains unacceptable to the community. The community of Llanbedr would be catastrophically impacted if the school was to close. The school, along with the church, is very much integrated within the local community and does a lot to support many of the older and more vulnerable members of the Llanbedr community. The community, parents, teachers, and governors are tired by the uncertainty that has hung over the school since the announcement stating the intention to close was made public in February 2021. It is unfair to allow this uncertainty to continue. Many of the children who attend Llanbedr have joined from the other larger, local schools. Often these children have joined Llanbedr due to difficulties with their previous school setting whether that be bullying or unhappiness over the standards of education and opportunities provided. Therefore, closing Llanbedr would force many of the pupils to move school for a second, and in some cases, a third time before they leave the primary education phase. This is unacceptable. We have no way of measuring the impact that such a decision will have on their mental health and wellbeing especially off the back of the Covid pandemic.

Cllr. Sarah-Jane and I would strongly request that Cabinet end the uncertainty surrounding the school. As stated under s.53 of the 2013 Act, the local authority itself may determine to delay, bring forward or abandon the proposal. We would argue that given the change of administration, and the commitment to carry out an area catchment review, with the likely result being the clustering of the Crickhowell schools, that any existing proposal to close Llanbedr should be abandoned. This would provide a clear statement of intent and end the uncertainty to all those connected to Llanbedr Church in Wales School.’

8. Impact Assessment

8.1 Impact assessments were considered by Cabinet at each stage of the process. These were updated at each stage to reflect the issues raised.

9. **Recommendations**

- To delay implementation of the proposal to close Llanbedr C. in W. School by 12 months to the 31st August 2023.
- To commence an area review of the Crickhowell catchment.
- To bring a further paper outlining the proposed way forward for the Crickhowell catchment to a future Cabinet meeting.
- A virement from delegated school contingency budget for £59,000 is approved to balance the budgets in this financial year. Noting in 2023-24 that the additional £41,000 requirement will be contained within the overall schools delegated budget.

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