



## **PROPOSALS RELATING TO BANW C.P. SCHOOL AND LLANERFYL C. IN W. (FOUNDATION) SCHOOL**

### **OBJECTION REPORT**

#### **1. Introduction**

Powys County Council consulted on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:

- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
- To establish the new school either
  - a. on the current site of Banw C.P. School **or**
  - b. on the current site of Llanerfyl C. in W. Foundation School

The consultation took place from the 24<sup>th</sup> September 2018 to the 5<sup>th</sup> November 2018.

On the 30<sup>th</sup> April 2019, the Council's Cabinet agreed to proceed with a proposal to close the two schools, and to establish a new school on the current site of Banw C.P. School. Statutory Notices were published from the 1<sup>st</sup> May 2019 to the 29<sup>th</sup> May 2019.

#### **2. Objections received**

15 objections were received during the statutory objection period. The issues raised in the objection are outlined on the following pages, along with the Council's response.

In addition, one letter was received during the objection period which expressed support for the proposal.

### 3. Issues raised in Objections

1. Welsh Language		
Issue	Points raised	Council response
<b>1.1 The Welsh language is stronger in Llanerfyl</b>		
1.1.1	80% of Llanerfyl pupils come from homes where more than one parent speaks Welsh.	<p>It is noted that a higher proportion of Llanerfyl pupils come from homes where Welsh is spoken. This information was provided on page 56 of the consultation document issued as part of this process, and has been acknowledged throughout the process. A Welsh language impact assessment has also been prepared, which has been updated throughout the process to take account of issues raised.</p> <p>Should the Council proceed with implementation of the proposal, a new Welsh-medium primary school would be established to serve the whole Banw Valley, including Llanerfyl. The Council would hope that all pupils attending the two current primary schools in the area would transfer to that new school, ensuring continued access to Welsh-medium education in a Welsh-medium school. However, all parents are entitled to apply for a place for their child in whichever school they choose, and these applications will be accommodated in accordance with the Council's admissions policy.</p> <p>The Council's aim is to increase the number of pupils educated through the medium of Welsh, in order to contribute to the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. Attracting pupils from non Welsh speaking homes to Welsh-medium education will be key in order to achieve this.</p> <p>Implementation of this proposal would result in the establishment of one new, larger school in the Banw Valley area, and the Council's view is that this would contribute towards the Welsh Government's aspiration. This was supported by Estyn in their response to the consultation exercise carried out: 'Both option a and b would contribute to realising</p>
1.1.2	Over 75% of children in Llanerfyl speak Welsh at home compared with 15% of Banw children. Llanerfyl is the stronghold of the Welsh language and this should have been considered as well as the financial savings before making such an important decision.	
1.1.3	Disappointed that the Council has decided to close a school where Welsh is the first language of the majority of children	
1.1.4	A decision to close a school where Welsh is the natural language of the community to a village where only 12% of children speak Welsh in their homes suggests that Powys County Council is not concerned about the Welsh language, and therefore it will not be possible to increase the number of Welsh speakers in the future.	

		the Welsh Government's strategy of achieving a million Welsh speakers by 2050.'
<b>1.1.5</b>	In Llanerfyl, the governors, the community council and the majority of the village hall committee speak Welsh.	The Council notes this comment regarding use of the Welsh language in Llanerfyl. The aim of the proposal is to establish one new Welsh-medium school to serve the whole Banw Valley area, with the aim of strengthening the Welsh language in the area. The Council does not believe that this would have a detrimental impact on the Welsh language in Llanerfyl.
<b>1.2 Lack of consideration of the Welsh language</b>		
<b>1.2.1</b>	Oppose the proposal based on lack of consideration of the Welsh language	The proposal's impact on the Welsh language has been considered throughout the process. An initial Welsh language impact assessment was prepared, and published with the consultation documentation. This has been updated throughout the process to reflect issues raised.
<b>1.2.2</b>	What is the Council's policy towards maintaining, developing and increasing the numbers speaking Welsh in the Banw Valley?	The Council is proposing to establish one new Welsh-medium school in the Banw Valley in order to safeguard and strengthen the provision of Welsh-medium education in the area.
<b>1.3 Reference to pupils from the area accessing English-medium education</b>		
<b>1.3.1</b>	Transport is being provided free of charge to transport 27 pupils out of the catchment area of the two schools as their children do not wish them to receive Welsh-medium education – how does this accord with Powys' intention to support the Welsh Government's plan for a million Welsh speakers.	Home to school transport is provided to pupils living in the Banw Valley area who choose to attend English-medium provision. This is in accordance with the Council's current Home to School Transport Policy, which states:  'In the primary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see 2.3).'
		The provision of education is deemed to be equal whether the school is an English-medium or Welsh-medium school or delivers both languages through a dual stream arrangement.

1.3.2	Some pupils who began their education in Welsh will now move to the English stream in Llanfair to gain free transport. Not only will you lose more potential Welsh speakers (which will not help to achieve 2050 Welsh targets), it will also cost Powys more money in transport costs	Should the Council proceed with the proposal to establish one new Welsh-medium school to serve the area, the Council would hope that all pupils attending the two current primary schools in the area would transfer to that new school, ensuring continued access to Welsh-medium education in a Welsh-medium school. However, all parents are entitled to apply for a place for their child in whichever school they choose, and these applications will be accommodated in accordance with the Council's admissions policy. School transport would be provided in accordance with the Council's Home to School Transport Policy for eligible pupils.
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2. Impact on the Community		
Issue	Points raised	Council response
<b>2.1 Impact on the village of Llanerfyl</b>		
2.1.1	Closure of the school would have a significant effect on village life in Llanerfyl	<p>The Council notes these comments regarding the impact of not having a school in Llanerfyl on the Llanerfyl community. The Council acknowledges that closure of any school will impact on the community in which it is located, however the Council's priority is to ensure the best possible educational provision for pupils in the Banw Valley for the future.</p> <p>A draft Community Impact Assessment was published with the consultation documentation, and was updated to take account of issues raised during the consultation period. This will be updated again to reflect issues raised during the objection period, and will be considered by Cabinet when determining how to proceed.</p>
2.1.2	Concern about impact on the parish of Llanerfyl	
2.1.3	The school plays a vital part in the community with its strong links to the Church, Cylch Meithrin and wider community	
2.1.4	The school serves as a central focus point for families, who gather for many village events, to celebrate, to raise funds and to maintain relationships with all members of the community	
2.1.5	School events involve the whole community, which is important in rural communities where social isolation can be such a problem, especially for the elderly.	
2.1.6	The school has an important role in the wellbeing of all members of the community	

2.1.7	Closure of the Llanerfyl site would have a greater impact on the Llanerfyl community as there is no shops/tea rooms or public house for local people to engage and interact, unlike the village of Llangadfan.	
2.1.8	Children and young people of Llanerfyl will lose the yard and the football pitch, where they often walk or cycle on quiet roads to meet and socialize with each other. Loss of these facilities will have a negative impact on their mental and physical wellbeing as the nearest leisure facilities are a car journey away. There are two football pitches in Llangadfan.	The Council notes these comments regarding the potential loss of facilities in Llanerfyl. The current Llanerfyl school site is owned by the Priscilla Foster Trust. Should there be no school in Llanerfyl, the Trust would need to determine the future use of the site and associated facilities.
<b>2.2 Impact on Llanerfyl Village Hall</b>		
2.2.1	Llanerfyl Village Hall is under real threat – would lose the extensive use by Ysgol Llanerfyl and the income involved. Also concern that Cylch Meithrin Dyffryn Banw, who have been using the Village Hall since its establishment over forty years ago, would move to Ysgol Banw as a result of the decision.	The Council notes these concerns regarding the potential impact of the proposal on Llanerfyl Village Hall. The potential impact on Llanerfyl Village Hall was raised as a concern during the consultation period, and was reflected in the consultation report. However, the reason for this proposal is to ensure that Welsh medium primary education continues to be provided in the area.
2.2.2	The Cylch Meithrin has been established in the Llanerfyl village hall for 45+ years. Siting a new school on the Banw site may threaten the future of pre-school education in Llanerfyl, which may place the village hall in financial difficulty	A draft Community Impact Assessment was published with the consultation documentation, and was updated to take account of issues raised during the consultation period. This will be updated again to reflect issues raised during the objection period, and will be considered by Cabinet when determining how to proceed.
2.2.3	Should have been more concern shown towards the village hall in Llanerfyl – will be under significant financial difficulties as the Playgroup which holds sessions there 4 days a week is likely to move to Banw. Will also lose regular activities held by the school and its associated income. Likely that the main activities held in Llanerfyl village hall from now on will be funeral teas.	Any decisions about the location of the Cylch Meithrin would be a decision for the Cylch's management committee.

### 3. Criticism of the Council

Issue	Points raised	Council response
<b>3.1 Criticism of the council allowing pupils to move schools</b>		
3.1.1	Criticism of the Council for allowing 9 pupils to move from Ysgol Llanerfyl during the week in the middle of term and against Powys' education policy only hours after a discussion in the chamber was unforgivable, especially as there was never an official complaint to the school from any of the parents of these nine pupils.	<p>The Council notes these concerns regarding the decision to allow 9 pupils to move from Ysgol Llanerfyl to Ysgol Dyffryn Banw.</p> <p>A number of parents applied to the authority to transfer pupils from Llanerfyl to Ysgol Dyffryn Banw with immediate effect. The parents expressed very clearly that their children would not be attending Ysgol Llanerfyl from that day onwards. The authority has a duty to ensure that all children are educated and if a parent expresses a preference for a specific school, then the authority is legally obliged to provide a place for that child if there is room in the year group. In this case, there was room for all 9 children at Ysgol Dyffryn Banw.</p> <p>Usually, the authority tries to ensure that in-year transfers take place at the start of term, but on this occasion the parents were requesting an immediate move to Ysgol Dyffryn Banw.</p>
3.1.2	No consideration given to the impact of allowing pupils to move from Llanerfyl to Banw on the children, nor on the school's experienced and conscientious staff. This action undermined the confidence, development and mental health of the children and the staff.	
3.1.3	For the sake of education in the Valley in the long term, why did the Council, the Headteacher of Ysgol Banw and the governors of Ysgol Banw allow pupils to move from Llanerfyl to Banw?	
3.1.4	The sudden movement of pupils caused a major rift in the community, and potentially ruined the chance of any working together going forward.	
3.1.5	Powys have been very weak in dealing with the issue of pupils moving schools overnight, with no investigation or enquiry into the welfare of the children left behind.	
3.1.6	The level of ill-feeling in the area was increased by the sudden removal of nine pupils from Llanerfyl. Many of the families remaining in Llanerfyl will not now under any circumstances send their children to Banw, meaning that Banw will remain unsustainably small.	

<b>3.1.7</b>	Allowing 9 pupils to leave the school after the Cabinet meeting made things very difficult for all children and staff – after this, many parents have said that they won't transfer their children to Banw, so there will be a higher % of surplus places at the new school.	
<b>3.1.8</b>	Allowing 9 pupils to move from Llanerfyl to Banw overnight goes against the Council's admissions policy.	
<b>3.1.9</b>	Parents of Llanerfyl pupils were contacted to 'move their children' immediately, with disregard to the remaining children and the teachers at Llanerfyl – it is no wonder the situation has become difficult.	The requests to the Council for children to move from Llanerfyl C. in W. School to Banw C.P. School came the parents of these children.

### **3.2 General criticism of the Council**

<b>3.2.1</b>	In who's best interest is it to disrupt the majority? When did Powys last close a school with a higher number of pupils?	The Council is proposing to close the two schools, and to establish one new school to serve the whole area, in order to ensure continued provision of high quality Welsh-medium education for pupils in the area in the future.
<b>3.2.2</b>	The process is based on lies, personal connections and misconduct within the council at all levels.	The process has not been based on lies, personal connections and misconduct within the council at all levels. The process has been carried out in accordance with the School Organisation Code (2013).
<b>3.2.3</b>	It's essential that the council acts with transparency – if there were evidence to prove bias following an investigation, then it could be argued that individuals within the council must remove themselves from the process.	Comment noted. The Council has acted with transparency and without bias throughout this process.

## **4. Criticism of Councillors**

<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
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### **4.1 Criticism of Cllr Aled Davies**

4.1.1	There are suggestions that the decision has been triggered by lies and a close personal relationship between individuals who are supportive of Ysgol Dyffryn Banw and Councillor Aled Davies	There is no substantive evidence to support these claims.
4.1.2	It is well known that Cllr Davies is a close friend of the Chair of Banw governors – his decision was made on this basis, rather than hard facts.	
4.1.3	There are clear suggestions that Cllr Aled Davies has turned his back on principles, morals and policy in order to please and favour influential individuals that are associated with Ysgol Dyffryn Banw. Such behaviour is unacceptable. Personal associations should not be the basis for a decision which will have far reaching effects in our valley.	
<b>4.2 General criticism of the Cabinet</b>		
4.2.1	The Cabinet seem more concerned about appearing to show a united front on camera in the chamber than showing true character and making a decision based on facts.	The Cabinet's decision to proceed with establishing a new school on the Banw site was based on the findings of the consultation carried out in the autumn term. A statutory notice was subsequently published in accordance with this decision, and Cabinet will be required to make a further decision on whether or not to proceed with this proposal, having considered the issues raised during the objection period, as outlined in this report.
4.2.2	Cabinet has favoured Banw school whose staff has actively encouraged parents to move their children from Llanerfyl School mid term without opposition by the school's management and against Powys policy and been allowed to do so by Powys education authority	
4.2.3	Why has the Cabinet chosen an option that is worse for the environment as it forces children to go to school by bus or by car, and which will require heating a large building which will be half empty and in worse condition?	
4.2.4	Surely Cabinet has a duty to make the correct decision for all residents of Powys, by choosing the most financially viable option which would still provide excellent learning opportunities.	

	<p>The way the Cabinet reached its decision was undemocratic, especially given the debate in the chamber involving all councillors where the majority who spoke did so in favour of siting the new school in Llanerfyl, with some calling the decision a no brainer.</p>	<p>On the 13<sup>th</sup> July 2016, the County Council debated a motion proposing that Full Council should meet to discuss recommendations relating to Primary and Secondary School proposals prior to a decision being taken by Cabinet, and resolved the following:</p> <p>‘That Full Council meets to discuss recommendations relating to Primary and Secondary School proposals that are affected by the Council’s Transformation Policy and Schools Reorganisation Policy 2015, to inform the Cabinet of Council’s views prior to any decision being taken by Cabinet.’</p> <p>A discussion on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School took place during a meeting of the Full Council on the 7<sup>th</sup> March 2019. The minutes of the discussion were included with the papers considered by Cabinet at their meeting on the 30<sup>th</sup> April 2019, when they agreed to proceed with the proposal to establish a new school on the Banw site.</p>
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<b>5. Criticism of Officers</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>5.1</b>	<p>Questions are being asked in the local community regarding the professionalism of Powys County Council’s Schools Transformation Team. There are suggestions that they have misled Llanerfyl School, and that they sided with Ysgol Dyffryn Banw – this suggests that the Council’s officers have been biased since the start of the process.</p>	<p>These statements are untrue.</p> <p>The initial report presented by Cabinet in July 2018, included an officer recommendation that a new school should be established on the Llanerfyl site, based on an options appraisal carried out by officers.</p>
<b>5.2</b>	<p>The process has been unfair – lack of honesty from the schools transformation team from the start.</p>	<p>However, there was little to choose between the two sites, and therefore, as stated in the minutes of the Cabinet meeting: ‘The Portfolio Holder for Finance, Countryside and Transport presented the report and advised that he was proposing an amendment to the recommendation in the report so the consultation would not be specific on which site the new school would be on.’</p>

		<p>This is part of the democratic process – Cabinet can either accept the recommendations presented to them, amend them or throw them out altogether. There are other occasions where recommendations have been amended at the Cabinet meeting.</p> <p>In accordance with the Cabinet decision, consultation was carried out on the two site options, and the consultation document issued provided information on the two site options, as required by the School Organisation Code.</p> <p>The findings of the consultation exercised were outlined in a Consultation Report. Comments relating to both schools were included in this Report, and were treated in exactly the same way. The Cabinet decision to proceed with establishing a new school on the Banw site was made based on the findings of the consultation exercise.</p>
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<b>6. Issues relating to the Process</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>6.1 Reference to report considered by Cabinet in July 2018</b>		
<b>6.1.1</b>	Why were the results of the Council's options appraisal carried out in July 2018, which showed that Llanerfyl was the best site in terms of location, potential to succeed and value for money, disregarded?	The options appraisal report presented to Cabinet in July included an officer recommendation that the new school should be established on the Llanerfyl site, based on an options appraisal carried out by officers.
<b>6.1.2</b>	The first paper to Cabinet on this matter recommended the school site to be Llanerfyl. This decision was based on ascertainable facts, such as the condition of the building and costs of the school. Immediately before this Cabinet meeting, the recommendation was changed without explanation and it was resolved to go out to consultation on both sites.	However, there was little to choose between the two sites, and therefore, as stated in the minutes of the Cabinet meeting: 'The Portfolio Holder for Finance, Countryside and Transport presented the report and advised that he was proposing an amendment to the recommendation in the report so the consultation would not be specific on which site the new school would be on.'

	The July 2018 Cabinet report shows that the Llanerfyl site is the most strategic location, and provides the best value for money.	This is part of the democratic process – Cabinet can either accept the recommendations presented to them, amend them or throw them out altogether. There are other occasions where recommendations have been amended at the Cabinet meeting.
<b>6.1.3</b>	The Council's options appraisal report of July 2018 showed that the Llanerfyl site was the best in terms of strategic location, potential achievability and value for money. No factors have changed from what that report recommended – what happened during this period to change the decision?	In accordance with the Cabinet decision, consultation was carried out on the two site options. The findings of the consultation exercise were subsequently considered by the Council's Cabinet, and based on these findings, the Cabinet decided to proceed with a proposal to establish a new school on the Banw site.
<b>6.1.4</b>	How much did the report considered by the Cabinet in July 2018 cost the Council, only to be disregarded and ignored?	As the report was prepared by officers, there was no additional cost to the Council.
<b>6.2 Reference to 'Drop-in' events</b>		
<b>6.2.1</b>	The education officers should have judged the process better, especially during the drop in sessions, where local residents were allowed to write negative comments in public, creating tension between both parties. Surely common sense should prevail and they should have realised that this was never going to help the process.	An informal drop in session for parents was held in February 2018. The aim of this session was to give parents of pupils attending both schools to give their views on the most suitable way forward.  It is acknowledged that this process has been difficult for the two communities involved, however the feedback received during the consultation period suggests that the majority of people that responded to the consultation feel that merging the two schools is the most suitable way forward in order to ensure the continuation of Welsh-medium provision in the area going forward.
<b>6.2.2</b>	Following the first 'drop in' involving parents, it became clear from the hostility evidenced that the vision of two communities moving together to create a unified school was not going to happen. The nature of some of the remarks made it abundantly clear that a considerable number of residents wanted nothing to do with this partnership. At this point, the project of uniting the schools should at least have been paused, to allow potentially less divisive solutions to the pupil number problem in Banw to be examined. Instead, despite being fully aware that hostility was running high and the review was characterised by both communities as a battle, the authority pressed on regardless.	

<b>6.2.3</b>	The education officers deny that any derogatory comments were made, even though most which attended the open day read them! People from Llanerfyl feel very angry with regard to this – why would the education officers choose to deny this when clearly comments had been made?	As explained in the Consultation Report published in respect of this proposal, the feedback collated after the engagement event does not include any evidence of comments such as those quoted in consultation responses, nor any racist comments. However, it is acknowledged that some comments were made regarding staff.
<b>6.3 Reference to Consultation Response Form</b>		
<b>6.3.1</b>	Aled Davies' final decision is based on a questionnaire undertaken where only 27% were parents and prospective parents, with a large proportion made up of 'others' and 'no association with either school'. Cllr Aled Davies stated that the community had clearly decided on the Banw site, but who are these others and people with no association with either school?	This was a public consultation exercise, and anyone who wished to respond was able to do so. The survey was carried out in the same way as other surveys.  The findings reflect an earlier survey of parents of pupils attending the two schools and the local Cylch Meithrin carried out as part of the early engagement work in early 2018, where a higher number of parents identified the Dyffryn Banw as their preferred site option. As outlined in the report produced outlining the findings of this earlier survey:
<b>6.3.2</b>	No safeguarding of data control was present with the online questionnaire, allowing anyone to post multiple questionnaires in their favour – how can this ever be democratic and achieve the correct results – surely a decision like this can't be decided on who can fill in the greatest number of online questionnaires?	- 'However, the order is different if we consider the number of times each option was ranked '1', the preferred option. On this basis, the order in terms of preference is as follows:
<b>6.3.3</b>	Statistics from the consultation report do not reflect the thoughts of parents/prospective parents as the survey parents/prospective parents carried out in March 2018 showed that 24 out of 28 were very likely/likely to attend Llanerfyl, 17 out of 28 to Banw and 10 out of 28 unlikely or very unlikely to attend Banw.	<ul style="list-style-type: none"> <li>o 1 A new school operating in the current Dyffryn Banw building – 12</li> <li>o 2 A new school operating in the current Llanerfyl building – 11</li> <li>o =3 A new school dual sited school operating across the two current buildings – 2</li> <li>o =3 A new school built on a new site in the area – 2'</li> </ul>
<b>6.3.4</b>	The Consultation Report identified that only 27% of respondents were parents with 33% being classed as either 'other' or 'no connection with either school'. The opinion of these unconnected individuals appears to over-ride the outcome of the consultation amongst the parents which had been held previously.	The report goes on to state on page 12 that:  - 'Whilst 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, only 11 questionnaires ranked the option of 'A new school operating in the current Llanerfyl building' as their preferred option. In contrast, only 8

		<p>questionnaires were received from families that currently have children attending Ysgol Dyffryn Banw, however 12 questionnaires ranked 'A new school operating in the current Dyffryn Banw building' as the preferred option.'</p> <p>The findings of the survey are only one element to be taken into consideration when determining how to proceed – a large number of written responses were also received, and these have also been taken into consideration in making the recommendation.</p>
<p><b>6.3.5</b></p>	<p>The decision to recommend Banw as the site appears to be based solely on this consultation exercise, with greater significance being placed on it than on economic factors, convenience of parents, vacant places or the wishes of parents as stated in the previous survey. The factors which led to the decision of officers to recommend Llanerfyl did not disappear but were ignored.</p>	<p>It is not true that the factors which led to the decision of officers to recommend Llanerfyl were ignored.</p> <p>The options appraisal report presented to Cabinet in July included an officer recommendation that the new school should be established on the Llanerfyl site, based on an options appraisal carried out by officers.</p> <p>However, there was little to choose between the two sites, and therefore, as stated in the minutes of the Cabinet meeting: 'The Portfolio Holder for Finance, Countryside and Transport presented the report and advised that he was proposing an amendment to the recommendation in the report so the consultation would not be specific on which site the new school would be on.'</p> <p>This is part of the democratic process – Cabinet can either accept the recommendations presented to them, amend them or throw them out altogether. There are other occasions where recommendations have been amended at the Cabinet meeting.</p> <p>In accordance with the Cabinet decision, consultation was carried out on the two site options.</p> <p>A consultation report was produced which included the findings of the survey as well as a large number of other written responses. All issues raised during the consultation period were included in the Consultation Report. This included issues relating to Banw School and issues relating to Llanerfyl School.</p>

		The decision to proceed with a proposal to establish a new school on the current site of Banw School was made based on consideration of the findings of the consultation exercise, as outlined in the Consultation Report. This included the findings of the survey, as well as the written comments received.
<b>6.4 Reference to negative impact of the consultation process on the area</b>		
<b>6.4.1</b>	The consultation process has had a detrimental effect on the area and has split the valley.	The Council acknowledges that any school reorganisation proposal has an impact on the affected communities, and is keen to conclude this process as quickly as possible, in order to minimise this period of uncertainty for the communities involved.
<b>6.4.2</b>	The process has had a negative impact on the mental health of children, parents staff and adults of all ages in the area.	
<b>6.4.3</b>	Cllr Aled Davies has expressed throughout that the consultation process has been a positive one – his thoughts are completely different to the residents of both schools where many are experiencing low self-esteem and are completely disillusioned with the process.	Cllr Aled Davies has expressed throughout that the consultation process has been thorough – this is not the same as saying that the process has been a positive one. The Council acknowledges that this process has been difficult for the communities involved.
<b>6.5 Reference to Full Council discussion 7<sup>th</sup> March</b>		
<b>6.5.1</b>	At the Full Council meeting held on the 7 <sup>th</sup> March, the unanimous view expressed by councillors was that the recommendation to site the new school on the Banw site was the incorrect recommendation – a number of points were made by Councillors to support this view.	On the 13 <sup>th</sup> July 2016, the County Council debated a motion proposing that Full Council should meet to discuss recommendations relating to Primary and Secondary School proposals prior to a decision being taken by Cabinet, and resolved the following:  'That Full Council meets to discuss recommendations relating to Primary and Secondary School proposals that are affected by the Council's Transformation Policy and Schools Reorganisation Policy 2015, to inform the Cabinet of Council's views prior to any decision being taken by Cabinet.'
<b>6.5.2</b>	None of the issues raised during the Full Council meeting on the 7 <sup>th</sup> March have been considered or evaluated fully – this makes me question the purpose of gathering all councillors to the chamber to discuss, if the comments raised are not fully considered and explored.	A discussion on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School took place during a meeting of the Full Council on the 7 <sup>th</sup> March 2019. The minutes of the discussion, as well as officer

		responses to the issues raised by Councillors during the Full Council discussion, were included with the papers considered by Cabinet at their meeting on the 30 <sup>th</sup> April 2019, when they agreed to proceed with the proposal to establish a new school on the Banw site.
<b>6.5.3</b>	The issues raised by the councillors on the 7 <sup>th</sup> March are issues governors and parents of Ysgol Llanerfyl have raised throughout the process, however these seem to have been disregarded and no 'hard factual' reasons have been given to counteract the points of view.	<p>The issues raised by governors and parents of Ysgol Llanerfyl have not been disregarded. All issues raised during the consultation period, including issues relating to both Llanerfyl and Banw schools, and a range of other issues, were outlined in the Consultation Report produced, as well as the Council's response to those issues.</p> <p>The issues raised by councillors in the discussion on the 7<sup>th</sup> March, as well as an officer response to those issues, were listed in Appendix E which was attached to the paper considered by Cabinet on the 30<sup>th</sup> April</p>
<b>6.5.4</b>	Responses have been given to the issues raised by councillors in the Full Council discussion, however these responses are very opinionated and not factual.	The Council's view is that the responses provided to the issues raised are appropriate.
<b>6.5.6</b>	When the issue was discussed in Full Council, many members spoke up against the proposal, both because it was financially unsustainable and lacked strategic coherence. No vote was taken, but from the tone of the interventions by members, it seems clear that the proposal would have been heavily defeated. At the next meeting of Full Council when, once again, a non-binding debate was held with regard to a development proposal in Abermule, a vote was taken – this is a blatant lack of equity. Either votes should be allowed for all such advisory debates or for none.	Comment noted.
<b>6.6 Reference to 30<sup>th</sup> April Cabinet meeting</b>		
<b>6.6.1</b>	Request clarification in terms of the basis on which the Cabinet decision on the 30 <sup>th</sup> April was made	The Cabinet decision on the 30 <sup>th</sup> April was made based on the findings of the consultation exercise carried out, as summarised in the consultation report and the associated impact assessments.

6.6.2	<p>The Council's solicitors noted on the 30<sup>th</sup> April during the Cabinet meeting that letters should be read out in public to ensure transparency – why then, were only letters from Llanerfyl read, when correspondence was also sent from individuals associated with Ysgol Dyffryn Banw? Does this again show the council's bias?</p>	<p>At the meeting held on the 30<sup>th</sup> April, all letters / correspondence received in the days before the meeting was read out. This included the following:</p> <ul style="list-style-type: none"> <li>- A letter from Rosalind Williams, Director of Education, Diocese of St Asaph</li> <li>- A letter from the Chair of Governors at Ysgol Llanerfyl</li> <li>- A letter from Councillor David Jones</li> <li>- An e-mail from Banw Community Council</li> </ul>
6.6.3	<p>The weakness of process, the lack of solid evidence and the widespread inconsistency make the decision of April 30<sup>th</sup> unsustainable.</p>	<p>The Council does not agree with this statement.</p>
6.6.4	<p>30<sup>th</sup> April 2019, Cabinet waved through the decision with no discussion or explanation. The Ombudsman's Guide on the Conduct of Members states:</p> <p>'you are required always to make your decisions on the basis of the facts in front of you, and not to have made your mind up in advance to such an extent that you are entirely unprepared to consider all of the evidence and advice you receive.'</p> <p>From the record of the Cabinet meeting on the 30<sup>th</sup> April, difficult to show that any consideration has been given, for example to the letter from Cllr David Jones. No discussion or explanation was to be provided, and two hundred years of educational tradition in an area where the Welsh language and culture are strong were to be dismissed without even the semblance of consideration.</p>	<p>The Cabinet decision to proceed with a proposal to establish a new school on the Banw site was made based on the findings of the consultation exercise carried out.</p> <p>The letter received from Cllr David Jones was read out during the Cabinet meeting held on the 30<sup>th</sup> April, as well as other correspondence received. Having considered these items, the Cabinet decided to approve the recommendation as outlined in the Cabinet paper.</p>
<p><b>6.7 The Process has been Unfair</b></p>		
6.7.1	<p>Ysgol Llanerfyl were brought into the discussion after Banw school contacted the Council due to falling pupil numbers at their school.</p>	<p>The Council notes these comments.</p>

<p><b>6.7.2</b></p>	<p>Parish of Llanerfyl feel that the decision is unfair.</p>	<p>As outlined on page 6 of the Consultation Document, the review of primary provision in the Banw Valley was instigated following initial contact from Banw C.P. School, and has involved a number of steps as outlined in the Consultation Document. The review has been carried out in accordance with the Council's School Organisation Policy (2018).</p> <p>Pupil numbers across the Banw Valley have decreased over recent years, and are not projected to increase over the next few years. The Council is proposing to close the two schools and to establish one new school in the area, in order to ensure continued provision of high quality Welsh-medium education for pupils in the area.</p>
<p><b>6.7.3</b></p>	<p>Highly unjust way the council has conducted this process and the decision making methodology seems to be based more on who's back you scratch rather than true facts.</p>	<p>This is untrue.</p> <p>The consultation documentation produced was prepared in accordance with the requirements of the School Organisation Code (2013), and included factual information as required by the Code. The findings of the consultation exercise were summarised in the consultation report produced, and the Cabinet decision to proceed with establishing a new school on the Banw site was made based on these findings.</p>
<p><b>6.7.4</b></p>	<p>Children and parents at Ysgol Llanerfyl were made to feel inferior during this process due to the unfair attention given to the lack of facilities.</p>	<p>It is not true that 'unfair attention' has been given to the lack of facilities at Ysgol Llanerfyl. During the consultation period, a number of concerns were raised regarding the facilities at Ysgol Llanerfyl, and concerns were also raised regarding the condition of Ysgol Dyffryn Banw. All of these issues were reflected in the consultation report, and were taken into consideration when determining how to proceed.</p>
<p><b>6.7.5</b></p>	<p>Too much emphasis has been put on the Banw community hall during this process with some inaccuracies stated e.g. the football club would fold without the school in Banw – this is not true</p>	<p>A number of comments were received during the consultation period which referred to the community hall and the potential impact on a range of organisations that use the hall should any closure of the school impact on the hall. The council is required to outline all issues raised during the consultation period in the consultation report, and to provide a response to these issues.</p>

6.7.6	Ysgol Dyffryn Banw and the school's supporters have sent complaints and lies to the Council about Llanerfyl School – complaints about bullying, threats and pupil welfare. These complaints are fake, however the council has believed them.	Views from both communities were received during the consultation period. All issues raised are outlined in the consultation report, as well as the Council's response to these issues.  No complaints have been received during this process.
6.7.7	Decision to change the site to Banw was very one sided – a cabinet member making comments that were not relevant to the process e.g. better management in one school than the other. Should never have said such a thing as a new school will have a new head.	Following the consultation exercise which was carried out on the two site options, the decision to proceed with a proposal to establish a new school on the Banw site was made following consideration of the findings of the consultation exercise carried out, as outlined in the consultation report.
<b>6.8 The governing body of Llanerfyl School did not consent to closure of the school</b>		
6.8.1	<p>The entire process was predicated on the notion that both governing bodies had consented to the closure of their school – this was not the case.</p> <p>At the first meeting between the two governing bodies, the governors of Llanerfyl offered support to Banw School in its difficulties and agreed to the general point that education should remain in the valley, but at no time did they agree to the closure of their school.</p> <p>At the next joint meeting held in Banw, there was an atmosphere which was far from conducive to open debate. Here the governors of Banw School stated their readiness to accept closure of their school if necessary whilst Llanerfyl governors remained silent. Silence cannot be construed as consent, particularly when the governors of Llanerfyl School subsequently wrote to the authority, making it clear beyond all doubt that they were not authorised by the parents to offer up their school for closure.</p> <p>The consultation processes and subsequent reports to Cabinet continued on the basis of this absent consent and no matter how many times and in what form it was stated that</p>	<p>As explained on page 124 of the Consultation Report:</p> <p>'Separate meetings were held with the two governing bodies, as well as two joint meetings. The minutes of the second of these joint meetings, held on the 15<sup>th</sup> January 2018, state that:</p> <p>'Officers asked whether the two governing bodies agreed that closing the two schools and opening a new school would be the most appropriate way to move forward. Some governors commented that they thought that this was the most appropriate way forward.</p> <p>Neither governing body indicated that they disagreed that this was the most appropriate way forward.'</p> <p>However, following the meeting, it is acknowledged that correspondence was received from the governing body of Ysgol Llanerfyl, stating that they had not agreed to close Ysgol Llanerfyl.'</p> <p>Consent to proceed from one or other governing bodies is not the reason why the Council has proceeded with these proposals relating to education in the Banw Valley. 'Why change is needed in the Banw Valley' is outlined on pages 8-11 of the Consultation Document issued in respect of this proposal, and the specific reasons for the proposal to</p>

	the governors of Llanerfyl School did not assent, this was ignored.	close the two schools and to establish a new school on the current site of Banw C.P. School are listed on page 19 of the Consultation Document.
<b>6.8.2</b>	The governors of a Voluntary Aided School are unable to act, under legislation, to do anything other than promote the wellbeing and standards within that school. Had Llanerfyl governors assented to the closure of their school in pursuit of some abstract end such as ‘the continuance of Welsh-medium education in the Valley’, they would have been acting ultra vires and any such assent would have been void.	
<b>6.9 Claims of predetermination</b>		
<b>6.9.1</b>	<p>It would appear that throughout the entire process, Cllr Aled Davies made it clear to all that he had made up his mind on the matter before any of the data gathering or processes had begun, let alone completed. All facts which supported Llanerfyl were ignored. When the difference in the condition of the two buildings was mentioned at the drop in session, Cllr Davies did not seem to place any particular significance on this.</p> <p>Ombudsman for Wales’s Code of Conduct for Members – on page 19, under the heading Compromising the impartiality of Officers of the Authority, it is noted that:</p> <p>‘Although you can robustly question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.’</p> <p>The same document describes pre-determination as follows on page 28:</p>	<p>Cllr Aled Davies had not made up his mind on the matter before any of the data gathering or processes had begun.</p> <p>As stated in the minutes of the Cabinet meeting held in July, when it was agreed to carry out consultation on the two site options: ‘The Portfolio Holder for Finance, Countryside and Transport presented the report and advised that he was proposing an amendment to the recommendation in the report so the consultation would not be specific on which site the new school would be on.’</p> <p>The Portfolio Holder for Finance, Countryside and Transport did not propose that consultation should be carried out on the Banw site – the recommendation was to carry out consultation on the two site options.</p> <p>In accordance with the Cabinet decision, consultation was carried out on the two site options. Cllr Davies’ recommendation to proceed with establishing a new school on the Banw site was based on the findings of the consultation exercise.</p>

	<p>'Having a completely closed mind is known as pre-determination. You are entitled to hold a preliminary view about a particular matter in advance of a meeting (pre-disposition) as long as you keep an open mind and are prepared to consider the merits of all the arguments and points made about the matter under consideration before reaching your decision. Pre-determination on the other hand would be where you have clearly decided on a course of action in advance of a meeting and are totally unwilling to consider the evidence and arguments presented on that matter during the meeting. Pre-determination could not only invalidate the decision, it would also amount to a breach of the Code.</p> <p>Evidence suggests that Cllr Davies has shown predetermination prior to the decision being made by Cabinet on 30<sup>th</sup> April, therefore rendering the decision invalid and all statutory actions stemming therefrom are null and void.</p>	
<p><b>6.10 Claims of rebuttable presumptions, mere assertions and errors</b></p>		
<p><b>6.10.1</b></p>	<p>Many statements have been made which were not ascertainably true. Some were rebuttable presumptions, such as that the equal formal language category of the two schools meant that they were in reality schools where the Welsh language was used equally. The data to demonstrate the inaccuracy of this presumption was readily available but never allowed to enter into the discussion.</p>	<p>Both Banw C.P. School and Llanerfyl C. in W. (Foundation) School are Welsh-medium schools. However, it is acknowledged there are differences in the linguistic background of pupils attending the two schools, and that a higher proportion of pupils attending Llanerfyl C. in W. (Foundation) School come from homes where Welsh is spoken – this information was included in the Consultation Document issued.</p> <p>The proposal is to establish one new larger Welsh-medium school, in order to continue to provide access to Welsh-medium provision in this Welsh speaking area. The Council's view is that this would contribute towards the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. This is supported by Estyn in their response to this consultation, which states that: 'Both option a and b would contribute to realising the Welsh Government's strategy of achieving a million Welsh speakers by 2050.'</p>

<p><b>6.10.2</b></p>	<p>Generalised assertions were treated as fact: ‘Children have richer educational experiences when their school is physically attached to a village hall’ tells us nothing about the experiences of children in the schools in Banw and Llanerfyl. When attempts were made to provide evidence which contradict this assertion by, for example, pointing to the outstanding sporting record of Llanerfyl pupils, this refutation was simply not admitted. These category errors, when presumptions and assertions are treated as fact, undermine the decision.</p>	<p>The Council has not stated that ‘Children have richer educational experiences when their school is physically attached to a village hall.’</p> <p>However, as stated on page 23 of the Consultation Document in respect of the option to establish a new school on the Banw site: ‘The (Banw) building has a wide range (of) facilities available which would enable the school to provide an extensive range of educational experiences to pupils.’</p> <p>During the consultation period, a number of comments were received which related to the differences which expressed concern that there is no hall attached to the Llanerfyl building, and referred to the benefits of the provision at Banw, which does provide access to a hall. The Council is required to include all issues raised during the consultation period in the consultation report, and to provide the Council’s response to these issues.</p>
<p><b>6.10.3</b></p>	<p>Reference has previously been made to the logical absurdity of it not costing Powys County Council more to transport children who previously walked to school, but this was far from the only factual error to be included in the debate. Detailed transport costings for both options were repeatedly promised by officers and never forthcoming.</p>	<p>Estimated transport costs were included in the Consultation Document issued in respect of this proposal. As outlined in the Consultation Document, the estimate ‘takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.’ Based on this assessment, it is estimated that implementation of either option ‘would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.’</p> <p>The Council provided a further explanation of the position regarding home to school transport costs in Appendix F which was attached to the paper considered by Cabinet on the 30<sup>th</sup> April. The explanation provided was as follows:</p> <p>The transport provider in the Banw / Llanerfyl area was asked to estimate the impact of implementation of either option on overall transport costs before Cabinet agreed to carry out consultation on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School.</p>

		<p>The response received indicated that the additional cost would be the same, whether the new school was located on the Banw site or on the Llanerfyl site.</p> <p>As indicated in the Consultation Document:</p> <p>‘An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.</p> <p>It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.’</p> <p>Home to school is already provided in the Banw Valley area. This includes transport from the area to Caereinion High School and NPTC college in Newtown, and link transport to both Llangadfan and Llanerfyl to provide access to transport to Ysgol Uwchradd Caereinion. Therefore, it is likely that no additional vehicles would be needed to achieve either option – home to school transport would be provided by transporting pupils on the routes already running, or by amending the routes already running to transport pupils to the new schools. This is why the increase in the daily cost is estimated to be the same for both sites.</p>
<b>6.10.4</b>	In a letter to the Cabinet, it was stated that there were many plots of land available in the area for affordable and local needs housing: these sites do not exist.	The decision to proceed with the proposal to establish a new school on the Banw site was not made based on the availability of land in the area for affordable and local needs housing.
<b>6.10.5</b>	It has been stated that: ‘there will be no repair costs for Powys County Council to meet on the Banw site because the Church will sell the school in Llanerfyl and invest the proceeds of the sale on the Banw site.’ Not possible to imagine a more inflammatory and unhelpful statement, but	The Council has not stated that ‘there will be no repair costs for Powys County Council to meet on the Banw site because the Church will sell the school in Llanerfyl and invest the proceeds of the sale on the Banw site.’

	aside from that, the statement is based on error: the school in Llanerfyl is not owned by the Church but by a local charitable trust whose trustees would be bound by the terms of the original bequest. These are examples of a process riddled with inaccuracy and bias.	The Council has been clear throughout the process that the Llanerfyl building is owned by the Priscilla Foster Trust, and any decision on its future use would be a matter for the Trust.
<b>6.11 General comments regarding the consultation process</b>		
<b>6.11.1</b>	Many of the points raised during the process, such as surplus places / capital spend / capital receipts / over capacity / transport costs are factual and not opinions – the responses to those points should be based on fact not opinion.	The Council's view is that the responses provided to the issues raised are appropriate.
<b>6.11.2</b>	The councillors raised their concerns about the work of the officers and the validity of the survey results.	<p>As explained in response to the concerns raised by councillors in 'Appendix E' of the paper considered by Cabinet on the 30<sup>th</sup> April 2019:</p> <p>'This was a public consultation exercise, and anyone who wished to respond was able to do so. The survey was carried out in the same way as other surveys.</p> <p>The findings reflect an earlier survey of parents of pupils attending the two schools and the local Cylch Meithrin carried out as part of the early engagement work in early 2018, where a higher number of parents identified the Dyffryn Banw as their preferred site option. As outlined in the report produced outlining the findings of this earlier survey:</p> <ul style="list-style-type: none"> <li>- 'However, the order is different if we consider the number of times each option was ranked '1', the preferred option. On this basis, the order in terms of preference is as follows: <ul style="list-style-type: none"> <li>o 1 A new school operating in the current Dyffryn Banw building – 12</li> <li>o 2 A new school operating in the current Llanerfyl building – 11</li> <li>o =3 A new school dual sited school operating across the two current buildings – 2</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ =3 A new school built on a new site in the area – 2’</li> </ul> <p>The report goes on to state on page 12 that:</p> <ul style="list-style-type: none"> <li>- ‘Whilst 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, only 11 questionnaires ranked the option of ‘A new school operating in the current Llanerfyl building’ as their preferred option. In contrast, only 8 questionnaires were received from families that currently have children attending Ysgol Dyffryn Banw, however 12 questionnaires ranked ‘A new school operating in the current Dyffryn Banw building’ as the preferred option.’</li> </ul> <p>The findings of the survey are only one element to be taken into consideration when determining how to proceed – a large number of written responses were also received, and these have also been taken into consideration in making the recommendation.’</p>
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<b>7. Alleged non-compliance with policies, procedures and other legislation</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>7.1 Council policies</b>		
<b>7.1.1 Vision 2025</b>		
<b>7.1.1.1</b>	<p>In Vision 2025, the Council declares that it will:</p> <ul style="list-style-type: none"> <li>- Work with communities, residents and businesses</li> <li>- Willing to look at new ways of working and delivering services</li> <li>- Focussing on solutions rather than problems</li> </ul> <p>All of these aspirations have been breached:</p>	<p>a) The Council does not agree with these statements. There have been numerous attempts to work with the residents / community of Llanerfyl throughout this process, both as part of the statutory process and prior to this.</p> <p>It is not true that concerns and anxieties have been waved aside. All issues and concerns raised during the consultation process were included in the consultation report produced, which also includes the Council’s response to each issue.</p>

	<p>a) No attempt was made to work with the residents or community of Llanerfyl, their concerns and anxieties were consistently waved aside and disregarded.</p> <p>b) The developing partnership between Llanerfyl School and Ysgol Uwchradd Caereinion, an innovative plan to reduce costs, strengthen management, raise standards, reduce problems at transition and prepare for the new curriculum was ignored in favour of a 'business as before' model.</p>	<p>It is acknowledged that this process has been difficult for the communities involved, however the overwhelming feedback from the consultation and the initial engagement carried out before starting the statutory process is that merging the two schools to establish one new school on one of the current sites is the most suitable way forward.</p> <p>b) Throughout the process, numerous opportunities have been provided for stakeholders to suggest alternative options. The option of Llanerfyl School working more closely with Ysgol Uwchradd Caereinion was not suggested during these processes.</p> <p>The Council acknowledges the potential benefits of an 'all-through' solution, and this is a model which is being developed across Powys. With regard to Llanerfyl School and Ysgol Uwchradd Caereinion, there are a number of reasons why a partnership between these two schools would not be a long term solution. In particular:</p> <ul style="list-style-type: none"> <li>- Llanerfyl School is a Welsh-medium school whilst Ysgol Uwchradd Caereinion is a dual stream school.</li> <li>- Llanerfyl School is a Church in Wales Foundation School, whilst Ysgol Uwchradd Caereinion is a community secondary school.</li> </ul>
<p><b>7.1.1.2</b></p>	<p>The Cabinet decision of 30<sup>th</sup> April does not deliver on the Cabinet's priorities as stated in Vision 2025:</p> <ul style="list-style-type: none"> <li>- No evidence that devoting more of the Council's scarce resources to maintaining a building in poor condition will strengthen the economy in any way</li> </ul>	<p>The Council's view is that implementation of the proposal to merge Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to establish a new school on the Banw site will not impact on the economy – this is reflected in the Impact Assessment carried out in respect of this proposal.</p>
<p><b>7.1.1.3</b></p>	<p>The Cabinet decision of 30<sup>th</sup> April does not deliver on the Cabinet's priorities as stated in Vision 2025:</p> <ul style="list-style-type: none"> <li>- Far from supporting the health of the community, the actions of PCC have opened rifts so deep that they</li> </ul>	<p>The Council notes these comments, and acknowledges that this process has been difficult for the communities involved. The Council is required to follow the process as required by the Welsh Government. The Council has endeavoured to engage with the communities involved throughout this process. Unfortunately, there are historic rifts between</p>

	<p>have placed in peril the mental health of some residents. Staff, children, parents and members of the wider community have reported anxiety, stress and depression, which has led to individuals seeking professional help resulting from the way the process has been handled</p>	<p>the two communities following a previous attempt to merge the two schools, which has led to a reluctance from some members of the communities to engage effectively.</p> <p>However, 83% of stakeholders that filled in the consultation response form published as part of this proposal agreed that given the current and projected pupil numbers in the two schools, the most suitable way forward is for the two existing schools to merge in order to establish one new, larger school in the area.</p>
7.1.1.4	<p>The Cabinet decision of 30<sup>th</sup> April does not deliver on the Cabinet's priorities as stated in Vision 2025:</p> <ul style="list-style-type: none"> <li>- How will the closure of Llanerfyl School improve standards of teaching or learning?</li> </ul>	<p>The impact of the two site options on quality and standards in education was considered in the Consultation Document produced as part of this proposal. 'Impact on quality and standards in education' of the option to establish a new school on the Banw site was considered on pages 21-24 of the document.</p> <p>In addition, the impact of the proposal to establish a new school on the Banw site has been considered in the Impact Assessment carried out. As indicated in the Updated Impact Assessment, which was included with the papers considered by Cabinet on the 30<sup>th</sup> April:</p> <p>'This option would result in one larger school in the Banwy Valley to replace the two current small schools, which would ensure more sustainable provision in the valley, and would have a positive impact on the quality of education provided to pupils. The Banw building provides access to more facilities than the Llanerfyl building – in particular, there is access to a hall on site. Should this option be implemented, all pupils in the area would be able to access these facilities.'</p>
7.1.1.5	<p>The Cabinet decision of 30<sup>th</sup> April does not deliver on the Cabinet's priorities as stated in Vision 2025:</p> <ul style="list-style-type: none"> <li>- By choosing to close a school in the heart of a Welsh-speaking community, the Cabinet have failed in their fourth objective. In what way can the decision of April 30<sup>th</sup> be described as 'supporting' the residents and community of Llanerfyl?</li> </ul>	<p>The Council fully acknowledges that the proposal to establish one new school on the current site of Banw C.P. School would impact on the community of Llanerfyl. As identified in respect of 'Residents and Communities' in the updated impact assessment which was considered by Cabinet on the 30<sup>th</sup> April 2019:</p> <p>'The proposal would mean that there would be no provision in the village of Llanerfyl. However, there is a separate village hall in Llanerfyl,</p>

		<p>which would continue to be available. The building currently occupied by Llanerfyl C. in W. School is not owned by the Council – should the building no longer be required for the provision of education, the Trust would determine its future use.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would have a negative impact on the community of Llanerfyl through not having a school in the village, and also potentially a negative impact on the village hall through loss of use by the school.’</p>
<b>7.1.2 School Organisation Policy</b>		
<b>7.1.2.1</b>	The decision made by Cabinet on the 30 <sup>th</sup> April is in variance with the Council’s School Organisation Policy.	The Council’s view is that the decision made by Cabinet on the 30 <sup>th</sup> April is in accordance with the Council’s School Organisation Policy.
<b>7.1.2.2</b>	<p>Page 1 of the School Organisation Policy states:</p> <p>‘We wish to work with schools and communities to develop a positive and innovative network of schools, with school, families, communities and business working together to create a system that is accessible, integrated and responsive, initially focussing on new models of delivering education which would see the retention of provision in rural areas. This does not mean that there will be no school closures in Powys, however the case for closure would need to be strong and not taken until a range of alternative models have been fully explored.’</p> <p>However, the ‘range of alternative models’ explored with regard to Banw and Llanerfyl were limited to federation or a school on two sites, or a new school on a site yet to be determined, none of which would have addressed the key problem of sustainability. At no point were wider or more innovative solutions explored. Schools sharing similar characteristics and problems with the schools in the Banw Valley were excluded from all discussions though members</p>	<p>Numerous opportunities have been provided throughout the process for stakeholders to give their views on ‘alternative models’, from the initial engagement which took place with parents before the commencement of the formal process and throughout the consultation period.</p> <p>Alternative options suggested during the consultation period are outlined in the consultation report, as well as the Council’s response.</p> <p>The overwhelming view expressed throughout the consultation period was that merging the two schools in order to establish one new school to serve the area was the most suitable way forward.</p> <p>Whilst a small number of respondents to the consultation suggested that a wider review of education in the area would be a suitable alternative option, no reference was made during the consultation period to the possibility of closer working with Ysgol Uwchradd Caereinion.</p>

	<p>of Full Council and the Cabinet had insisted that it be considered at the same time. Links with Ysgol Uwchradd Caereinion, even when worked up into a concrete proposal, were ignored.</p>	
<b>7.1.2.3</b>	<p>Page 7 of the School Organisation Policy states in section 4.2:</p> <p>‘The current School Organisation Code recognises that the prime purpose of schools is the provision of education, and any case for closure should be robust and in the best interests of education provision in the area. However, the Code also recognises that in rural areas a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education, particularly if the school buildings are used as a place to provide services to the local community. Any proposals for the closure of provision will only be taken after all alternatives to closure have been conscientiously considered.’</p> <p>The impact on the community of Llanerfyl has been dismissed. The village of Llangadfan has a café, a village shop and a pub, Llanerfyl has only a garage. The school in Llanerfyl is used to provide services to the local community, hosting events which draw in a wide cross-section of residents, providing a focus in a village lacking in amenities. Do not agree that all alternatives to the closure of Llanerfyl School have been conscientiously considered.</p> <p>With the further threat of the removal of the Cylch Meithrin to the Banw site, undermining financial stability of the village hall, facilities in Llanerfyl will be further depleted.</p>	<p>The impact on the community of Llanerfyl has been considered throughout the process. Draft community impact assessments were published with the consultation documentation, which considered the impact of the two site options on the two communities.</p> <p>These were updated to reflect issues raised during the consultation period, and the updated versions were considered by Cabinet when determining how to proceed.</p> <p>The Council acknowledges that closure of any school will impact on the community in which it is located, however the Council’s priority is to ensure the best possible educational provision for pupils in the Banw Valley for the future. The potential impact on the village of Llanerfyl is noted, and the potential threat to the village hall.</p> <p>Throughout this process, numerous opportunities have been provided for the communities involved to suggest alternative options to the proposal, however the overwhelming view expressed during the process is that merging the two schools to create one new school to serve the whole area is the most suitable way forward.</p>
<b>7.1.2.4</b>	<p>Page 10 of the School Organisation Policy, under ‘Development of Proposals’ states as follows:</p>	<p>The proposal’s impact on leadership and management was considered in the Consultation Document.</p>

	<p>'6.2 Leadership and Management Many areas of Powys have experienced difficulties in recruiting headteachers, and shared headteacher arrangements have been introduced in many schools in order to overcome these issues. Whilst these arrangements can bring many benefits for the schools involved, it is acknowledged that these arrangements can also place additional pressure on headteachers. In addition, the current informal arrangements which are often put in place do not always provide certainty and resilience for the schools. When developing School Organisation proposals, the Council will consider the impact on the quality of leadership, taking into consideration whether the proposed model would provide resilience in terms of leadership, but also considering the impact on the workload of the headteacher and other leaders, including the governing body.'</p> <p>The 30<sup>th</sup> April decision makes no provision for sustainable leadership, merely creates a new small school with the same management costs as before and all the pressures suffered by leaders in small schools. Broader, more imaginative options, which would have allowed school leadership to be supported by a wider team have been rejected in favour of the 'business as usual' model which is widely understood to create considerable and enduring problems.</p>	<p>In respect of the option to establish a new school on the Banw site, it is acknowledged on page 23 that 'Whilst the newly established school would be larger than the two current schools, the school would still be a relatively small, Welsh-medium school, which could lead to challenges in attracting a suitable candidate for the headteacher position.'</p> <p>There were numerous opportunities throughout this process for stakeholders to suggest alternative options, however school leadership being supported by a wider team was not an option that was suggested during the consultation period.</p>
<p><b>7.1.2.5</b></p>	<p>Page 11 of the School Organisation Policy, under 'Geography', states as follows:</p> <p>'6.4: When developing proposals, the Council will give full consideration to the impact on home to school transport, including the nature of journeys to alternative provision and the resulting journey times for pupils and the cost of any additional home to school transport required.'</p> <p>Transport costs have been the subject of much discussion. Members of the Full Council on 7<sup>th</sup> March 2019 expressed</p>	<p>The Council has not stated that new transport provision for children currently not requiring transport at no additional cost. The Council has been clear throughout that merging the two schools and establishing one new school on either site would lead to an increase in school transport costs. However, as indicated throughout, the expectation is that the increase in transport costs would be the same, regardless of the site chose.</p> <p>Cabinet members asked for further clarification on the issue of Transport costs before making a decision on whether or not to proceed with the publication of a Statutory Notice in respect of this proposal. The</p>

	<p>the opinion that closing a school to which most children currently walked or cycled would create additional cost for the Council, however this logic has been repeatedly denied. The proposal agreed by Cabinet on April 30<sup>th</sup> is predicated on the fact that it is possible to create new transport provision for children currently not requiring transport at no additional cost – this is factually wrong.</p>	<p>explanation provided, which was included in Appendix F of the papers considered by Cabinet on the 30<sup>th</sup> April, is as follows:</p> <p>‘The transport provider in the Banw / Llanerfyl area was asked to estimate the impact of implementation of either option on overall transport costs before Cabinet agreed to carry out consultation on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School.</p> <p>The response received indicated that the additional cost would be the same, whether the new school was located on the Banw site or on the Llanerfyl site.</p> <p>As indicated in the Consultation Document:</p> <p>‘An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.</p> <p>It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.’</p> <p>Home to school is already provided in the Banw Valley area. This includes transport from the area to Caereinion High School and NPTC college in Newtown, and link transport to both Llangadfan and Llanerfyl to provide access to transport to Ysgol Uwchradd Caereinion. Therefore, it is likely that no additional vehicles would be needed to achieve either option – home to school transport would be provided by transporting pupils on the routes already running, or by amending the routes already running to transport pupils to the new schools. This is why the increase in the daily cost is estimated to be the same for both sites.’</p>
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<p><b>7.1.2.6</b></p>	<p>Page 11 of the School Organisation Code, under ‘Use of Financial Resources’, states as follows:</p> <p>‘Powys County Council, like many other local authorities, is currently facing significant financial pressure, which is unlikely to improve in the coming years. This pressure is affecting all council services, including schools. In order to continue to provide high quality services in this challenging financial climate, the authority needs to work towards a more efficient model of delivering education, whilst also retaining access to provision in rural communities.’</p> <p>The school transformation project in the Banw valley as ratified by Cabinet on April 30<sup>th</sup> proposes to:</p> <ul style="list-style-type: none"> <li>• Retain the site with higher running costs</li> <li>• Retain the site with higher maintenance cost</li> <li>• Increased transport costs by preventing pupils from walking to school</li> <li>• Reject shared leadership models which would reduce cost</li> </ul> <p>Every aspect of this decision demonstrates a profligate attitude towards public money, placing no value on fiscal prudence. Specifically, cost per pupil was disregarded, despite the impact of this on other schools. As stated: ‘When developing proposals, the Council will consider the impact on the distribution of funding between mainstream schools within the local authority’s area, the cost of proposals, any additional transport costs and the scale of any projected net savings.’</p> <p>There is no evidence that in the case of the decision of April 30<sup>th</sup>, the Council considered the impact of the above and its financial sustainability on the funding of other schools.</p>	<p>As indicated on page 114 of the Consultation Report issued in respect of this proposal in response to queries about why the Council was proceeding with the most expensive option:</p> <p>‘It is true that the estimated costings provided in the Consultation Document suggest that there would be a greater saving to the Council should the new school be established in Llanerfyl, however, establishing a new school on the Banw site would still result in an estimated saving to the Council of £49,226.</p> <p>Whilst financial impact is one element to be considered with regard to school reorganisation proposals, this is only one of a number of considerations. The Council’s priority is to ensure the best possible education for pupils.’</p> <p>Implementation of the proposal would not impact on the distribution of funding between mainstreams schools – as indicated on page 25 of the Consultation Document, ‘Should the Council proceed with this option, the savings as outlined above would be identified as an efficiency to the Schools Service budget.’</p>
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<p><b>7.1.2.7</b></p>	<p>Page 12 of the School Organisation Policy, under ‘Welsh language’, states as follows:</p> <p>‘6.6 In July 2017, the Welsh Government launched Cymraeg 2050, an ambitious new Welsh language strategy which sets out the vision to reach one million Welsh speakers by 2050. This strategy acknowledges the role of education in the achievement of the aim, and also states that ‘Welsh-medium immersion education is our principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers’. Powys County Council acknowledges the key role that Welsh-medium education will play in achieving the Welsh Government’s aim to increase the number of Welsh speakers. The impact on access to Welsh-medium provision will be a key consideration when developing proposals which impact on Welsh-medium provision, and in these cases, a Welsh language impact assessment will be carried out. In addition, the authority will consider whether there is a need to introduce Welsh-medium provision in areas where there is currently no access to Welsh-medium provision.’</p> <ul style="list-style-type: none"> <li>• Though Ysgol Llanerfyl and Ysgol Dyffryn Banw share the same theoretical language status, both being described as Welsh medium, the demographics of the schools are very different. It was raised on a number of occasions with officers and elected members of PCC that the nature of Llanerfyl school, where an overwhelming number of children speak Welsh at home, created an ethos which reaches beyond the classroom and into all aspects of school life</li> <li>• Question whether officers fully considered whether the two schools were linguistically equivalent – for example, use of Welsh by pupils as recorded by Siartr Iaith, retention in Welsh medium education after 11 and language of governors meetings</li> </ul>	<p>It is noted that a higher proportion of Llanerfyl pupils come from homes where Welsh is spoken. This information was provided on page 56 of the consultation document issued as part of this process, and has been acknowledged throughout the process. A Welsh language impact assessment has also been prepared, which has been updated throughout the process to take account of issues raised.</p> <p>The Council’s aim is to increase the number of pupils educated through the medium of Welsh, in order to contribute to the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. Attracting pupils from non Welsh speaking homes to Welsh-medium education will be key in order to achieve this.</p> <p>Implementation of this proposal would result in the establishment of one new, larger school in the Banw Valley area, and the Council’s view is that this would contribute towards the Welsh Government’s aspiration. This was supported by Estyn in their response to the consultation exercise carried out: ‘Both option a and b would contribute to realising the Welsh Government’s strategy of achieving a million Welsh speakers by 2050.’</p>
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	<ul style="list-style-type: none"> <li>Llanerfyl is a school where Welsh is the natural language of everyday communication.</li> </ul>	
	<p>The School Organisation Policy states the following in relation to 'Impact on the Community':</p> <p>'The Council acknowledges the role of Powys schools within their local communities, particularly in the case of schools in rural locations. Many schools are used extensively by their communities, and make an important contribution to community life. The Council aspires to maximise this, and to further develop the role of all schools in their community, with the aim of co-locating Council services and other services on school sites, in particular as part of new build projects. The Council will assess the impact of proposals on the community when developing any School Organisation proposals, and will fully explore alternative models of delivering education which would see the retention of provision in local communities.'</p> <ul style="list-style-type: none"> <li>This states that PCC will fully explore alternative models which retain provision in local communities, but in the case of the decision made on April 30<sup>th</sup>, this has not been done.</li> <li>In the letter read to Cabinet on April 30<sup>th</sup>, Cllr David Jones explained the ongoing discussions between Caereinion and the schools in the cluster with its potential for sustainable and efficient provision: this was dismissed without consideration, in total contradiction to para 6.7 of the policy.</li> <li>Schools Organisation Policy is the document on which all changes to educational provision should be based. This document is recent and has been reviewed by the PCC Scrutiny processes and the Welsh Audit Office. It is fully operational and should be followed. For a school transformation decision to break, ignore or over-ride the policy in 7 distinct areas renders the decision unsafe, ultra vires and liable to challenge</li> </ul>	<p>The Council has considered a range of options throughout this process, and opportunities have been provided for stakeholder to give their views on these options.</p> <p>Numerous opportunities have also been provided throughout the process for stakeholders to suggest alternative options. However, the overwhelming view expressed during the consultation period was that establishing one new school in the Banw valley is the community's preferred option.</p> <p>Whilst it is acknowledged that the proposal to establish a new school on the Banw site would impact on the facilities available in Llanerfyl, the Council is proposing to establish one new school to serve the whole Banw Valley area, therefore retaining primary provision in this area, in a building where there is more scope for co-location of other services.</p>

<b>7.1.3 School Organisation Policy Delivery Plan</b>		
<b>7.1.3.1</b>	<p>Delivery Plan has exactly the same status as the Policy document and all decisions should accord with it.</p> <p>Page 1 of the Delivery Plan states that it is a priority for 'Small primary schools to be part of formal collaborations / federations / amalgamations'. However, the decision ratified by Cabinet on April 30<sup>th</sup> creates an isolated, numerically small and costly primary school in a large building which is far more expensive to maintain, and is in breach of this policy. This priority is repeated on page 9 of the same document.</p>	<p>The current proposal relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School is to amalgamate the two schools, by closing the two schools and establishing one new school to serve the area.</p>
<b>7.1.4 Welsh in Education Strategic Plan</b>		
<b>7.1.4.1</b>	<p>Page 15 – 'Outcome 2: More learners continuing to improve their language skills on transfer from primary to secondary school'.</p> <p>This is a target for which PCC will be held to account by regulators, yet the decision of April 30<sup>th</sup> ensures that the school which had significantly higher retention levels in the Welsh stream at Ysgol Uwchradd Caereinion is to close, with the loss of its natural ethos. Though the numbers are small, the trends are clear – in the WESP, the figures for 2017 show 75% of Llanerfyl children going to the Welsh stream, as compared to 63% from Banw. More recent figures are more stark and yet were considered irrelevant for this school organisation process. More children from Llanerfyl transfer to Welsh medium secondary provision and therefore this decision is acting against the target set out in Outcome 2 of the WESP.</p>	<p>The Council notes the differences in the percentages of pupils from Llanerfyl School and Banw School transferring to Welsh-medium secondary provision. However it must be noted that the numbers involved are small, therefore this must be taken into consideration.</p> <p>The Council is proposing to establish one new Welsh-medium school to serve the whole area. Should a new school be established, the Council would monitor transition rates to Welsh-medium secondary provision, and should there be an issue, this would be addressed with the school.</p>
<b>7.1.4.2</b>	<p>Page 16 refers to be steps to be taken to remedy the problem of pupils not transferring to Welsh-medium secondary provision.</p>	

	<p>Ysgol Llanerfyl proposed to strengthen their links with Ysgol Uwchradd Caereinion in exactly the manner suggested, reducing the already low number of Year 6 pupils who do not continue their education through the medium of Welsh. Cabinet on April 30<sup>th</sup> refused to consider this arrangement which was made in accordance with the plan set out in the WESP.</p>	
<b>7.1.4.3</b>	<p>Outcome 5 refers to increasing the number of pupils with advanced skills in Welsh, and sets out steps to promote the use of Welsh.</p> <p>A key aspect of the Welsh Language Charter is its diagnostic use, allowing the management of the school to understand the pupils use of Welsh in a wider context. Identified areas on which schools may build and provides data on the ways learners use Welsh. Given the different demographic context of Ysgol Llanerfyl and Ysgol Dyffryn Banw, the Language Charter data should have been presented to the Cabinet as part of their decision making process. The actions of the officers in this decision have demonstrated that the Language Charter is neither respected nor validated in PCC, despite the protestations of the WESP.</p>	<p>Information on the demographic context of the two schools was included in the Consultation Documentation, which was included as an attachment to the paper considered by Cabinet on the 30<sup>th</sup> April 2019.</p> <p>The Consultation Document also referred to the Welsh Language Charter, as it stated that:</p> <p>‘Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award.’</p> <p>Subsequently, Banw C.P. School achieved the Welsh Language Charter silver award in June 2019. Llanerfyl C. in W. School has not yet achieved the silver award.</p>
<b>7.1.5 School Admissions Policy</b>		
<b>7.1.5.1</b>	<p>When pupils are moved during a school year, they are subject to the rules for In-Year Transfers, detailed below:</p> <p>‘In-year transfers – If you wish to transfer your child to a different school at any time (except due to moving house), you should discuss this with the Headteacher of your current school. Then you should approach the Headteacher of your chosen school and discuss the possibility of admission, explaining why you want to change schools. You will then need to complete an ‘In-Year Transfer form’. If your</p>	<p>A number of parents applied to the authority to transfer pupils from Llanerfyl to Ysgol Dyffryn Banw with immediate effect. The parents expressed very clearly that their children would not be attending Ysgol Llanerfyl from that day onwards. The authority has a duty to ensure that all children are educated and if a parent expresses a preference for a specific school, then the authority is legally obliged to provide a place for that child if there is room in the year group. In this case, there was room for all 9 children at Ysgol Dyffryn Banw.</p>

	<p>application for application for transfer is approved, your child will change schools at the beginning of a term or half term. The transfer will normally be approved, as long as it doesn't affect the provision of efficient education or the efficient use of resources and is in line with any admission procedures the school has agreed with the council.'</p> <p>On the 12<sup>th</sup> March 2019, children were moved mid term from Llanerfyl School, which goes against the In-year transfer policy described above. No notice was given, staff had no time to prepare the children and they had no time to complete statutory moderation assessment. No contact was made at the time by the council to ascertain the welfare of pupils and staff left behind. Children were then admitted to Banw School in breach of Powys County Council's admission regulations – this should not have been permitted.</p>	<p>Usually, the authority tries to ensure that in-year transfers take place at the start of term, but on this occasion the parents were requesting an immediate move to Ysgol Dyffryn Banw.</p>
<p><b>7.2 Welsh Government documentation / legislation</b></p>		
<p><b>7.2.1 School Organisation Code</b></p>		
<p><b>7.2.1.1</b></p>	<p>Page 7, 1.4 states that:</p> <p>'Proposals should ensure that the balance of school provision reflects the balance of demand. This means that where school provision is being reduced or removed, alternative school provision of the same nature (language category or, if relevant, religious character), wherever possible, should remain available and accessible to pupil in the local area. However in some areas it may not be compatible with the cost effective provision of education to continue to maintain access to schools of the same nature.'</p> <p>The balance of demand is unchanged, with more children living in the Llanerfyl area. Parents travel more frequently west to east 'down' the valley for work, than east to west. This paragraph clearly states that provision should meet the</p>	<p>The proposal is to establish a new Welsh-medium Church in Wales school in the Banw Valley to replace the two current schools. The proposal would provide continued access to Welsh-medium provision in the area, and would also ensure continued access to Church in Wales provision.</p> <p>The proposal to establish a new school on the Banw site supports the findings of the consultation exercise carried out, including the findings of the survey carried out as part of the consultation exercise and the written responses received. Therefore, the Council's view is that the proposal does reflect the balance of demand.</p> <p>Pupil numbers at the two schools have changed since the Consultation Documentation was published. As noted in the paper considered by Cabinet on the 30<sup>th</sup> April, pupil numbers in the school at that time were as follows:</p>

	<p>pattern of demand, closing Llanerfyl is in breach of this stipulation.</p> <p>The only caveat to this stipulation regards cost which means that a proposal to move children from a high demand, lower cost provision to a lower demand, high cost provision is in clear breach of paragraph 1.4. Therefore, the proposal accepted by Cabinet on 30<sup>th</sup> April re Banw and Llanerfyl is in breach of paragraph 1.4 of the Welsh Government School Organisation Code.</p>	<table border="1" data-bbox="1167 188 2098 293"> <thead> <tr> <th></th> <th><b>N2</b></th> <th><b>R</b></th> <th><b>1</b></th> <th><b>2</b></th> <th><b>3</b></th> <th><b>4</b></th> <th><b>5</b></th> <th><b>6</b></th> <th><b>Total</b></th> </tr> </thead> <tbody> <tr> <td>Banw</td> <td>N/A</td> <td>5</td> <td>2</td> <td>4</td> <td>4</td> <td>8</td> <td>5</td> <td>4</td> <td>32</td> </tr> <tr> <td>Llanerfyl</td> <td>3</td> <td>1</td> <td>3</td> <td>2</td> <td>3</td> <td>0</td> <td>3</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <p>Therefore, the proposal to establish a new school on the Banw site does reflect the balance of demand.</p> <p>Whilst it is acknowledged that the estimated savings to the Council are higher should a new school be established on the Llanerfyl site, the proposal to establish a new school on the Banw site is expected to result in annual savings to the Council of £53,820, which would enable education in the Banw Valley to be provided more efficiently than it is currently provided.</p>		<b>N2</b>	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>	Banw	N/A	5	2	4	4	8	5	4	32	Llanerfyl	3	1	3	2	3	0	3	5	20
	<b>N2</b>	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>																							
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Llanerfyl	3	1	3	2	3	0	3	5	20																							
<p><b>7.2.1.2</b></p>	<p>Resourcing of education and other financial considerations:</p> <p>The code states that any proposal must take into account surplus places and details levels of surplus places which should cause concern. It has been a key tenet of Llanerfyl's argument throughout that the building at Banw is too large for any foreseeable number of pupils, but this has constantly been disregarded by officers of Powys County Council. The choice made by Cabinet on April 30<sup>th</sup> will clearly maximise the number of surplus places in the area, breaking the Welsh Government Code.</p>	<p>The Council has taken surplus places into consideration when developing this proposal.</p> <p>As indicated on page 58 of the Consultation Report:</p> <p>'The Council acknowledges that a number of surplus place would remain in Banw C.P. School should a new school be established here, however there would be a significant overall reduction in the number of surplus places across the Banw Valley area.'</p>																														
<p><b>7.2.1.3</b></p>	<p>Paragraph 1.4 states that proposals should take into account 'the recurrent costs of proposals over a period of at least 3 years and whether the necessary recurrent funding is available'.</p> <p>Running costs of the Banw site are higher, when compared with Llanerfyl, even before the proposed shared management with Caereinion was considered. PCC is facing serious economic difficulties and is yet proposing to write a five year 'blank cheque' to the Banw site, maintaining the provision</p>	<p>The Council is proposing to close the two current school and establish one new school on the current site of Banw C.P. School. This is expected to result in an annual estimated saving of £49,226.</p> <p>The Council is not proposing to write a five year 'blank cheque' to the Banw site. Should a new school be established, a budget would be provided in accordance with the Council's Scheme for Financing Schools, and the new governing body would be expected to ensure that the school's budget was managed in accordance with the Council's requirements.</p>																														

	<p>however unaffordable it should be. The proposal agreed by Cabinet flies in the face of these recommendations and is in breach of the code.</p>	
<p><b>7.2.1.4</b></p>	<p>Transport costs are also covered in paragraph 1.4 – ‘additional transport costs incurred as a result of proposals; Proposers should take into account the requirements on local authorities to provide free transport provision under the Learner Travel (Wales) Measure 2008 and should seek the advice of the relevant local authority transport department in relation to the impact the proposal might have on associated transport costs and their affordability.’ Any proposal which suggests new transport provision for children currently walking to school will cost more. This extra cost is unjustified and therefore the decision is in breach of the code.</p>	<p>The Council has considered additional transport costs, and has sought the advice of the Council’s transport department in order to estimate the impact of the two site options on transport costs. The Council has been clear throughout that merging the two schools and establishing one new school on either site would lead to an increase in school transport costs. However, as indicated throughout, the expectation is that the increase in transport costs would be the same, regardless of the site chosen.</p> <p>Cabinet members asked for further clarification on the issue of Transport costs before making a decision on whether or not to proceed with the publication of a Statutory Notice in respect of this proposal. The explanation provided, which was included in Appendix F of the papers considered by Cabinet on the 30<sup>th</sup> April, is as follows:</p> <p>‘The transport provider in the Banw / Llanerfyl area was asked to estimate the impact of implementation of either option on overall transport costs before Cabinet agreed to carry out consultation on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School.</p> <p>The response received indicated that the additional cost would be the same, whether the new school was located on the Banw site or on the Llanerfyl site.</p> <p>As indicated in the Consultation Document:</p> <p>‘An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.</p>

		<p>It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.'</p> <p>Home to school is already provided in the Banw Valley area. This includes transport from the area to Caereinion High School and NPTC college in Newtown, and link transport to both Llangadfan and Llanerfyl to provide access to transport to Ysgol Uwchradd Caereinion. Therefore, it is likely that no additional vehicles would be needed to achieve either option – home to school transport would be provided by transporting pupils on the routes already running, or by amending the routes already running to transport pupils to the new schools. This is why the increase in the daily cost is estimated to be the same for both sites.'</p>
7.2.1.5	<p>Savings are also covered in paragraph 1.4 – ‘the scale of any projected net savings (taking into account school revenue, transport and capital costs); In relation to proposals where substantial upfront capital investment is required (for example to support a substantial remodelling, refurbishment or a new build project), the costs and savings of the proposals should be calculated over the lifespan of the relevant building, and compared against the costs and savings associated with the maintenance of the status quo.’ – Authorities are obliged to bring forward proposals which represent best value for money. The proposal agreed by Cabinet on April 30<sup>th</sup> does not maximise savings and is therefore in breach of the Code.</p>	<p>‘Resourcing of education and other financial implications’ is covered in section 1.5 of the School Organisation Code.</p> <p>The Council has considered the scale of projected net savings associated with the two site options, and has considered school revenue and transport costs. Estimated savings information for both site options was included in the Consultation Document.</p> <p>The Consultation Document also referred to the capital funding required to implement the two site options. As indicated on page 25 in respect of the Banw option: ‘No capital funding is required to achieve this option. There is sufficient capacity within the current building to accommodate the current and forecasted pupils at the two schools.’</p>
7.2.1.6	<p>Capital receipts must be considered: ‘whether the proceeds of sales (capital receipts) of redundant sites are to be made available to meet the costs of the proposal or contribute to the costs of future proposals which will promote effective management of school places.’ – Powys County Council is in possession of only one of the school sites under consideration and therefore can only realise one asset. Choosing to ignore this is in breach of the Code.</p>	<p>It is not true that the Council has ‘ignored’ the fact that only one of the school sites is owned by the Council.</p> <p>It has been acknowledged throughout that the Llanerfyl building is owned by the Priscilla Foster Trust – as indicated on page 26 of the Consultation Document:</p>

		<p>'Should a new school be established on the Banw site, this would mean that the Llanerfyl building would be surplus to requirements for the delivery of education. However, the Llanerfyl building is not owned by the Council – it is owned by the Priscilla Foster Trust.</p> <p>Should the building not be required for the delivery of education, it would be returned to the Trust who would need to determine its future use. The Council would not receive a capital receipt.'</p> <p>It was also identified on page 19 of the Consultation Document as a disadvantage of a proposal to establish a new school on the Banw site that 'The Council would not benefit from any sale of the Llanerfyl site as it isn't owned by the Council.'</p>
<b>7.2.1.7</b>	Rural Schools are protected by the Code – a number of detailed steps need to be fulfilled in order to rebut the presumption of retention. These steps have not been taken, especially with regard to consideration of options. The proposal to work with the High School was summarily dismissed in breach of the Code.	<p>It is true that the new School Organisation Code, which was introduced in November 2018, includes a 'Presumption against the closure of Rural Schools', and outlines additional steps which need to be taken when closing rural schools.</p> <p>The Council carried out consultation on this proposal from the 24<sup>th</sup> September to the 5<sup>th</sup> November 2018, which was before the new School Organisation Code was introduced, therefore, as indicated on page 48 of the Consultation Document: 'Consultation on this proposal will follow the guidelines set out by the Welsh Government in the School Organisation Code (2013).'</p>
<b>7.2.1.8</b>	Determination of proposals is discussed in paragraph 1.15. States that the determining body 'must consider whether there are any other related proposals'. On April 30 <sup>th</sup> , Cabinet refused to consider the alternative proposal for co-operation with the High School, this decision is in breach of the Code.	<p>This proposal has been taken forward based on the 2013 version of the School Organisation Code, where this requirement is included in paragraph 1.14, not paragraph 1.15.</p> <p>The suggestion that Ysgol Llanerfyl co-operate with Caereinion High School is not a proposal – it is an idea which was being explored by the two schools.</p> <p>There are a number of reasons why a more formal arrangement between between Ysgol Llanerfyl and Caereinion High School, through</p>

		<p>the publication of proposals, would not be a long term solution. In particular:</p> <ul style="list-style-type: none"> <li>- Llanerfyl School is a Welsh-medium school whilst Ysgol Uwchradd Caereinion is a dual stream school.</li> <li>- Llanerfyl School is a Church in Wales Foundation School, whilst Ysgol Uwchradd Caereinion is a community secondary school.</li> </ul>
<b>7.2.1.9</b>	<p>Paragraph 1.15 – the determining body ‘must not approve change of category proposals where a variation in the trust deed is necessary but has not yet taken place’. No evidence to confirm that contact has taken place between the Priscilla Foster Trustees (which own Llanerfyl School) and Powys County Council – this condition has clearly been breached.</p>	<p>During the pre-consultation phase, communication relating to the proposal was shared with the Diocese of St Asaph to be shared with the Trust.</p> <p>A pre-consultation response was received on behalf of the Trustees, and subsequent correspondence relating to the proposal was sent directly to a representative of the Trust.</p>
<b>7.2.1.10</b>	<p>Section 1.5 – It is important that funding for education is cost effective</p> <p>The proposal put forward does not consider cost efficiency:</p> <ul style="list-style-type: none"> <li>• There will be 44% surplus places at the school, whereas if the school was based at Llanerfyl the surplus would only be 28%.</li> <li>• There are less maintenance costs at Llanerfyl – according to the Council’s surveyor’s report a school on the Llanerfyl site would mean £210,000 less maintenance costs over a 5 year period.</li> <li>• There would be an annual saving of £14,200 from having the school on the Llanerfyl site as opposed to Banw</li> <li>• The Council has failed to consider the impact of retaining an expensive and unsustainable school on the funding of other schools in the county</li> <li>• The Council proposes to keep open the building in a worse state of repair.</li> </ul>	<p>The proposal does consider cost efficiency. The proposal to establish one new school on the Banw site would be more efficient than the current situation.</p> <p>Implementation of the proposal would result in the following:</p> <ul style="list-style-type: none"> <li>- An overall reduction in surplus places in the Banw Valley</li> <li>- A reduction in maintenance costs as there would only be one building</li> <li>- An estimated annual saving of £53,820</li> </ul> <p>Whilst it is true that the Llanerfyl building has been assessed to be in better condition than the Banw building, the Banw building has been assessed to be more suitable than the Llanerfyl building.</p>

<p><b>7.2.1.11</b></p>	<p>Sections 1.7 and 1.8 of the Code encourage proposers to look at other options available to them and their schools, for example clustering, collaboration or federation with other schools to increase the school's viability or making use of the existing buildings as a community resource.</p> <p>The Council has failed to listen to alternative proposals put forward, including more sustainable options such as working with Ysgol Uwchradd Caereinion.</p>	<p>A number of options have been considered when developing the current proposal. As explained on page 11 of the consultation document:</p> <p>'Discussions with the governing bodies of Banw C.P. School and Llanerfyl C. in W. (Foundation) School on the future of the two schools took place during the 2017-18 academic year. The outcome of these discussions was an agreement that there should be one school in the area instead of two.</p>
<p><b>7.2.1.12</b></p>	<p>1.8 Presumption against the closure of rural schools – It is important to ensure that all reasonable alternatives identified are properly explored before the proposer decides to proceed to consult on closure.</p> <p>The Code establishes a procedural presumption against the closure of rural schools. Ysgol Llanerfyl is identified as a rural school. Powys County Council has dismissed other suggestions of sustaining education in the valley such as cluster working.</p>	<p>Subsequently, the Council has considered a number of options which would result in the establishment of a single primary school in the area. Clustering and collaboration have not been considered as options at this stage as they would not result in the creation of a single school. Federation has not been considered as it is not possible for the two schools to federate due to the fact that one is a Community Primary school and the other is a Church in Wales Foundation school.'</p> <p>There have been numerous options for stakeholders to give their views on the options considered and to provide alternative options during the process, however the overwhelming view expressed was that merging the two schools in order to establish one new school in the area is the most suitable way forward.</p> <p>Working in partnership with Ysgol Uwchradd Caereinion is not an option which was suggested during the consultation period.</p>
<p><b>7.2.1.13</b></p>	<p>The Code refers to alternatives to closure that might merit consideration, including:</p> <ul style="list-style-type: none"> <li>- Clustering, collaboration with other schools (taking account of the scope for use of ICT links between school sites)</li> <li>- Using the school as a 'community hub' to accommodate and support provision of a range of community services, e.g. health, childcare facilities,</li> </ul>	<p>As indicated in the Consultation Document issued in respect of this proposal:</p> <p>'Discussions with the governing bodies of Banw C.P. School and Llanerfyl C. in W. (Foundation) School on the future of the two schools took place during the 2017-18 academic year. The outcome of these discussions was an agreement that there should be one school in the area instead of two.</p>

	<p>family and adult learning, community education, sport, recreation, social activity etc.</p> <ul style="list-style-type: none"> <li>- Whether it would be feasible and economical to co-locate local services within the school to offset the costs of maintain the school.</li> </ul> <p>Powys County Council has failed to consider any of these alternatives or more innovative solutions.</p>	<p>Subsequently, the Council has considered a number of options which would result in the establishment of a single primary school in the area. Clustering and collaboration have not been considered as options at this stage as they would not result in the creation of a single school.'</p> <p>Significant engagement and consultation has taken place as part of this process, and the overwhelming view expressed throughout was that one school to serve the whole area would be the most appropriate solution.</p>
<b>7.2.1.14</b>	<p>Once the proposer has identified all the reasonable alternatives, the proposer must assess for each alternative its:</p> <ul style="list-style-type: none"> <li>- Likely impact on Quality and Standards in Education;</li> <li>- Likely impact on the community; and</li> <li>- Likely effect of different travelling arrangements</li> </ul> <p>Powys County Council has not given full and fair consideration to the community impact on the village of Llanerfyl.</p>	<p>These requirements are outlined within section 1.8 – ‘Presumption against the closure of rural schools’ of the School Organisation Code (2018). As consultation on this proposal took place before the new version of the Code was introduced in 2018, the process has been carried out under the earlier (2013) version of the Code, which does not include the ‘Presumption against the closure of rural schools’.</p> <p>The impact on the village of Llanerfyl has been considered throughout the process, through impact assessments which have been updated throughout to take account of feedback received. The impact assessment will be updated again to take account of issues raised in the objections, and an updated impact assessment will be considered by Cabinet when determining whether to proceed with the proposal.</p>
<b>7.2.1.15</b>	<p>‘3.2 Attention to detail – It is essential that proposers seek and achieve high standards both in the information that underpins school consultations and in the consultation documents that are published.’</p> <p>The standard of the consultation documents and the process were not up to the expected standards, with a number of valid points being disregarded in the reports. Powys County Council failed to use key pieces of evidence in their report and dismissed people’s genuine concerns without exploration. Data collection methods were uncontrolled and unverified and decisions were based on hearsay, opinions and not facts.</p>	<p>The consultation document was prepared in accordance with the requirements of the School Organisation Code.</p> <p>It is not true that the Council dismissed concerns without exploration – the Council is required to respond to issues raised during the consultation period and the Council did this in the Consultation Report.</p> <p>This was a public consultation exercise, and anyone that wished to do so was entitled to respond. Data collection methods were in line with methods used for other similar exercises.</p> <p>The Council notes the comments regarding the initial engagement carried out with parents. The overwhelming view expressed during this</p>

	<p>Following the first 'drop-in' consultation involving parents, it was clear that there was a great deal of hostility surrounding the proposal of co-working. Stakeholders expressed concerns on several occasions about this. Despite being fully aware of this hostility, the Council pressed on regardless, providing another example where it refused to listen.</p> <p>The outcome of a formal complaint lodged to Powys County Council about certain aspects of the consultation process identified lessons to be learned, which included being more mindful of their processes.</p> <p>This failure to provide accurate, high quality consultation information and poorly executed process resulted in the process taking much longer than expected and causing major rifts in both communities that will take generations to heal.</p> <p>There was a total disregard by Powys County Council to listen to the views of stakeholders and the language used in interactions was at times dismissive and condescending.</p>	<p>early engagement and during the consultation period was that the most suitable way forward was for the two schools to merge. The Council does not agree that it 'pressed on regardless, providing another example where it refused to listen.'</p> <p>The complaint received has been addressed in accordance with the Council's complaints process.</p> <p>It is not true that the Council failed 'to provide accurate, high quality consultation information', or that the process was 'poorly executed', nor that the Council disregarded the views of stakeholders – the proposal to establish a new school on the Banw site is based on the findings of the consultation exercise. There is no evidence that language used by members or officers during the consultation was dismissive or condescending,</p>
7.2.1.16	<p>Failure to serve notice on other schools which the proposers consider are likely to be affected by the proposals – It was identified within the consultation documents as a risk that school closure (in particular on the Llanerfyl site) would result in children not attending the new school at the Dyffryn Banw site and seeking alternative placements. To this end, a statutory notice should also have been served on Llanfair Caereinion and Pontrobert schools as this would have an impact on the neighbouring schools.</p>	<p>The School Organisation Code (2013) states on page 35 that:</p> <p>'The proposals <b>must</b> be published:</p> <p>ii. by being posted at or near the main entrance to any existing school which is the subject of the proposal, or, if there is more than one main entrance, all of them;'</p> <p>Llanfair Caereinion and Pontrobert schools are not the subject of the proposal, therefore there is no requirement for the notice to be displayed at these two schools.</p>
7.2.2 Learner Travel (Wales) Measure 2008		

<p><b>7.2.2.1</b></p>	<p>Under the Learner Travel (Wales) Measure 2008, local authorities in Wales are required to promote sustainable modes of travel, with this being defined, at 11.2 as:</p> <p>‘Sustainable modes of travel’ are modes of travel which the authority or the Welsh Ministers (as the case may be) consider may improve either or both of the following –</p> <ul style="list-style-type: none"> <li>(a) The physical well-being of those who use them;</li> <li>(b) The environmental well-being of- <ul style="list-style-type: none"> <li>i) The whole or part of the local authority’s area, in the case of an authority, or</li> <li>ii) The whole or part of Wales, in the case of Welsh Ministers’</li> </ul> </li> </ul> <p>The proposal ratified by Cabinet on 30<sup>th</sup> April would force the majority of pupils currently walking or cycling to school to travel by bus, in breach of the authority’s duty to promote sustainable travel. This will not only have an impact on the carbon footprint of the authority but on the physical well-being of the pupils.</p>	<p>The Council has acknowledged throughout that the establishment of one new school in the area would have an impact on travel, and that in the case of the proposal to establish a new school on the Banw site, this would mean that pupils who can currently walk or cycle to school in Llanerfyl would not be able to do so. This has been acknowledged throughout the process, both in the consultation documentation produced and in the associated impact assessments.</p>
<p><b>7.2.3 Well-being of Future Generations Act (Wales) 2015</b></p>		
<p><b>7.2.3.1</b></p>	<p>This Act requires all public decisions to be judged against the Seven Well-being Goals. These goals have not been met by the decision of Cabinet on the 30<sup>th</sup> April in the following areas:</p> <ul style="list-style-type: none"> <li>- A Prosperous Wales will not be served by a decision which wastes public funds, maximises vacant places and fails to realise an asset which is far too large to provide appropriate education for such a dispersed population</li> <li>- A Resilient Wales will not be served by the retention of an over-large building</li> </ul>	<p>These concerns are noted.</p> <p>The proposal has been judged against the Well-being Goals outlined in the Well-being of Future Generations Act (Wales) 2015 in the Impact Assessments carried out as part of the process.</p> <p>The impact assessments have been updated throughout the process to reflect issues raised during each stage, and will be updated again to reflect issues raised in the objections.</p>

	<ul style="list-style-type: none"> <li>- A Healthier Wales will not be promoted by forcing children who currently walk or cycle to school to use a bus which will be filling the air they breathe with diesel particulates. The mental health of several members of the community has been badly affected by this process which should have been called off at an early stage.</li> <li>- A Wales of Cohesive Communities is hardly likely to be furthered by a local authority ignoring the needs of one group in order to further those of the other</li> <li>- A Globally Responsible Wales would be served by a detailed carbon analysis of this decision. Walking children must now use a bus – is this bus to run on fossil fuels? A compact and easy to heat building the condition of which has been assessed as a B rating by PCC Surveyors will be closed, in favour of a much larger building with higher maintenance costs which received a C rating for its condition by the same surveyors</li> </ul>	
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**7.2.4 Wales Audit Office Annual Improvement Report to Powys County Council**

<p><b>7.2.4.1</b></p>	<p>In October 2018, the Welsh Audit Office issued Powys County Council with their Annual Improvement Report.</p> <p>Statutory Recommendation 1 states:          ‘In setting a balanced budget, the Council must ensure that all savings plans are sufficiently well developed for inclusion in the annual budget. The Council must also act immediately to update its Medium Term Financial Strategy to enable the Council to live within its means going forward, and design and implement actions to address the weaknesses identified and reported by me in respect of its corporate and financial arrangements.’</p> <p>It is clear to regulators that Powys County Council needs to improve its reputation for fiscal probity. In this case, the</p>	<p>Whilst financial impact is one element to be taken into consideration in relation to school reorganisation proposals, the Council’s priority is to ensure the best possible education for pupils in the future.</p> <p>Implementation of the proposal to establish one new school on the Banw site is estimated to result in an estimated annual saving to the Council of £53,820.</p>
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	choice of fiscal prudence has been rejected for the option of keeping a very small number of pupils in an expensive building with costly management. If in such a clear case, the Cabinet Member for Finance discards all notions of 'living within its means', what faith can regulators have about future budget decisions?	
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<b>8. Reference to Priscilla Foster Trust</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>8.1</b>	Llanerfyl School has delivered excellent education to the children of the parish for three centuries thanks fo the generosity of Priscilla Foster, who bequeathed in her will a legacy to establish a school in the parish. In accordance with the terms of the will, the Priscilla Foster Trust was formed, the trustees comprising of the current Rector and Church Wardens of the Parish. This link is strongly maintained to this day.	Comment noted.
<b>8.2</b>	What discussions have taken place with the trustees of the Priscilla Foster Trust? Know of the involvement of the Diocese, but understand that the trustees of the Priscilla Foster Trust are separate entities.	During the pre-consultation phase, communication relating to the proposal was shared with the Diocese of St Asaph to be shared with the Trust. A pre-consultation response was received on behalf of the Trustees, and subsequent correspondence relating to the proposal was sent directly to a representative of the Trust.
<b>8.3</b>	Priscilla Foster left a legacy for Ysgol Llanerfyl and its pupils. The Church Warden at Llanerfyl has not been approached at any time during these consultations.	During the pre-consultation phase, communication relating to the proposal was shared with the Diocese of St Asaph to be shared with the Trust. A pre-consultation response was received on behalf of the Trustees, and subsequent correspondence relating to the proposal was sent directly to a representative of the Trust.

<b>9. Financial issues</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>

9.1 The Banw option is more expensive		
<b>9.1.1</b>	Powys County Council is experiencing a budget crisis, so why has the Cabinet decided to waste money on the most expensive option?	<p>The Council's priority is to provide the best provision for pupils in the area in the future. Whilst finance is one consideration, this is not the only consideration.</p> <p>The proposal to merge the two schools and establish one new school on the Banw site would result in a saving to the Council.</p> <p>In the Consultation Document, it was estimated that this would be an annual saving of £49,226, however this was revised to take account of the new funding formula, and as outlined in the paper considered by Cabinet on the 30<sup>th</sup> April, the latest estimate is that the proposal would result in an annual saving of £53,820.</p>
<b>9.1.2</b>	Fail to understand in the current financial crisis how Powys Council has decided to retain the site that is more expensive to run, has higher maintenance costs and higher pupil cost per head.	
<b>9.1.3</b>	Unbelievable that the Council has decided to opt for the most expensive option and has ignored other robust options that offer better value for money e.g. working with the high school – this is unfair to all Powys residents who would benefit from these financial savings	
<b>9.1.4</b>	Running costs and future maintenance costs higher on the Banw site	
<b>9.1.5</b>	The Council would save £63,426 per year from having the school on the Llanerfyl site rather than the Banw site – a saving of over £14,200 a year compared with the Banw site option.	
<b>9.1.6</b>	£63,426 annual saving having the school in Llanerfyl - £14,200 more saving per annum than if the school was in Banw. This saving would be considerably more than the cost of maintaining the library in Llanfair Caereinion.	
<b>9.1.7</b>	The cost per head is less in Llanerfyl – £3945.65 vs £4200.61 at Banw	
<b>9.1.8</b>	Llanerfyl is a smaller building, so the maintenance costs are lower – over £210,000 less spending is needed on maintenance and repair in Llanerfyl over 5 years	

<b>9.1.9</b>	The annual saving from siting the school in Llanerfyl would pay for an extra full time classroom assistant without even considering the extra maintenance cost associated with Banw school. Given the number of Powys children who are growing up in poverty, this is shameful.	
<b>9.1.10</b>	As public figures, you have a responsibility to spend the taxpayer's money responsibly and transparently – it is no secret that PCC are in a dire financial situation with asset selling throughout the county, and a 9.5% increase in council tax. With this in mind, how can you ever justify the decision to select the Banw site rather than the Llanerfyl site?	
<b>9.1.11</b>	Large cost savings are achievable by selecting the Llanerfyl site, and further annual savings are possible going forward from lower maintenance costs and from collaboration with Caereinion High School – do not dismiss this by saying that money comes from a different pot / department – public money is public money whichever pot it comes from.	
<b>9.2 Reference to potential capital receipts</b>		
<b>9.2.1</b>	The Council could sell/rent the Banw building and receive additional income. As the Church owns the Llanerfyl building, the Council won't receive any profit from closing the school.	The Council has acknowledged throughout the process that the Banw building is owned by the Council whilst the Llanerfyl building is not, therefore there is a potential that the Council could achieve a capital receipt from sale of the Banw building whilst this would not be the case in respect of the Llanerfyl building.
<b>9.2.2</b>	Powys do not own the Llanerfyl site therefore there would be no financial gain to the Council	
<b>9.2.3</b>	The Council don't own the Llanerfyl site therefore there would be no capital receipt to the Council	
<b>9.3 General comments regarding financial implications</b>		
<b>9.3.1</b>	Reference to endemic child poverty – this is a national issue not a regional problem. How can you justify selecting a site	The proposal to merge the two schools and establish a new school on the Banw site would result in a saving to the Council.

	where the financial costs are greater, with higher cost per pupil, higher capital spend, higher maintenance and surplus capacity when there is endemic child poverty? Shouldn't we be ensuring a leaner more cost effective solution by selecting the smaller school with less surplus capacity, less capital costs and less cost per pupil?	
<b>9.3.2</b>	The Council acknowledged that the Llanerfyl site can mitigate the potential of not all pupils attending the new school with being 'leaner' with less surplus place, less capital cost and lower annual cost per pupil.	It is acknowledged that there would be benefits associated with a proposal to establish a new school on the Llanerfyl site, however the Council's view is that the benefits associated with establishing a new school on the Banw site outweigh these.

<b>10. Issues relating to buildings</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>10.1 Building condition</b>		
<b>10.1.1</b>	The Llanerfyl building is in better condition	It is true that the HoWPS report carried out in 2018 assessed the condition of the Llanerfyl building as 'B – Generally satisfactory', whilst the condition of the Banw building was assessed to be 'C – Generally poor'.
<b>10.1.2</b>	The Llanerfyl building is category "B", whilst the Banw building is category "C".	
<b>10.2 Maintenance costs</b>		
<b>10.2.1</b>	Maintenance costs of the building are lower in Llanerfyl - £210,000 less to spend.	It is true that the Llanerfyl building has been assessed to be in better condition than the Banw building, and the estimated maintenance costs identified for the Llanerfyl building are lower than the costs estimated for the Banw building.  However, the Banw building is larger than the Llanerfyl building, therefore higher maintenance costs are to be expected. In addition, the Banw building has been assessed to be more suitable than the Llanerfyl building.
<b>10.2.2</b>	According to the Council's building reports, the Llanerfyl building is smaller and there are less maintenance costs – More than £210,000 more expenditure is needed on the Banw building compared with Llanerfyl over the next 5 years.	
<b>10.3 Size of the building</b>		

<b>10.3.1</b>	The Llanerfyl building is smaller and in better condition, so would place less strain on the council budget	It is true that the Llanerfyl building is smaller and has been assessed to be in better condition. However, the Banw building has been assessed to be more suitable.  The feedback received during the consultation period suggested that the community's view was that the Banw site was more suitable than the Llanerfyl site as a location for the new school.
<b>10.3.2</b>	The Llanerfyl building is smaller and more suitable to accommodate the number of children that will be attending the school in the future	
<b>10.3.3</b>	A large building is not required in this geographical location – a smaller fit for purpose building can be leaner, more cost effective and achieve potentially better long-term sustainability, which is an objective that all parties are striving for.	
<b>10.4 Building ownership</b>		
<b>10.4.1</b>	PCC are not the owners of the Llanerfyl building – what will happen to it?	The Llanerfyl building is in the ownership of the Priscilla Foster Trust. Should the Council proceed with establishing a new school on the Banw site, the Priscilla Foster Trust would need to determine what to do with the site.
<b>10.4.2</b>	Implications on the ownership of the two sites – the fate of the building and location of Ysgol Dyffryn Banw is in the hands of Powys County Council as it is in their ownership, whilst the building and location of Llanerfyl School is in the ownership of the Priscilla Foster Trust, which was responsible for building the school on its land in 1870.	
<b>10.5 Reference to facilities</b>		
<b>10.5.1 Reference to Hall</b>		
<b>10.5.1.1</b>	The lack of a hall on the Llanerfyl site has never been a problem for the Council's education officers in the past, so why is so much being made of it during this process? The hall is bricks and mortar which can be erected, demolished or adapted as needed.	The Council has not made 'so much' of the lack of a hall on the Llanerfyl site – the Council has acknowledged throughout the process that pupils attending Llanerfyl School do have access to the village hall in Llanerfyl – as stated on page 37 of the consultation document issued as part of this process:

		<p>'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.'</p> <p>However, concerns regarding access to the hall were raised during the consultation period, and the Council has a duty to respond to these concerns.</p> <p>In response to comments made regarding the provision of a hall on site, the Council acknowledged on numerous occasions in the consultation report that there are other schools in Powys that don't have a hall immediately adjoining the school.</p>
<b>10.5.1.2</b>	Long term sustainability for ensuring long term Welsh education in the valley cannot be achieved by making a hall and canteen a mandatory asset for school survival.	The Council has not stated that a hall and canteen are a mandatory asset for school survival. Concerns were raised during the consultation period regarding the lack of a hall on site and the lack of a separate dining area in the Llanerfyl building, and the Council has a duty to respond to these concerns. In responding to these concerns, the Council acknowledged on numerous occasions in the consultation report that there are other schools in Powys that don't have a hall immediately adjoining the school, and that don't have a separate dining area.
<b>10.5.1.3</b>	Llanerfyl hall, which is used on numerous occasions by Llanerfyl pupils, is 0.25 miles away, with a public paved footpath from school gate to the Hall. Takes an average child 5 minutes to walk. The 'pay as you use' agreement with the hall committee achieves value for money by not being responsible for a building's maintenance and upkeep, helping to ensure school budgets are maintained.	Comment noted.
<b>10.5.1.4</b>	Much has been made of the perceived inadequacies of the facilities at Llanerfyl, in particular the lack of a hall or a canteen, however much of the comments were based on easily rebuttable presumptions, such as the lack of experiences for pupils.	<p>The Council notes the recent success of Ysgol Llanerfyl in the All Wales 5 a side football competition.</p> <p>Many comments relating to the differing facilities at the two sites were received during the consultation period, and concerns were expressed</p>

	On the 11 <sup>th</sup> May 2019, Llanerfyl were second in the All Wales 5 a side football competition. This was thanks to the skill and commitment of those training them, not whether or not they were contiguous to a village hall.	about the impact of this on the pupils' experience, particularly given the requirements of the new curriculum.  The Council is required to include all issues raised during the consultation period in the consultation report, therefore these issues are included in this document, as well as the Council's response.
<b>10.5.1.5</b>	Many schools in Powys do not have halls and use local community facilities. Some are attached, some not and it is a widely recognised model which allows benefits to accrue to both school and community.	It is true that there are other schools in Powys which don't have an adjoining hall and therefore use local community facilities. This is also the case at Banw C.P. School.
<b>10.5.1.6</b>	There is no Powys policy stating the acceptable distance between school building and community hall, however in the course of this discussion, officers of the authority have acted as if such a policy existed.	This statement is untrue. The Council has not stated that there is an acceptable distance between school building and community hall. Throughout the process, the Council has acknowledged that pupils attending Llanerfyl School can access the village hall – as stated on page 37 of the consultation document:  'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.'  The Council has acknowledged on several occasions in the consultation report that there are other schools in Powys which don't have a hall immediately adjoining the school.
<b>10.5.1.7</b>	If the fact Llanerfyl did not have a hall and possession of a hall is so essential, why did Powys County Council never bring forward a suggestion of a capital programme to provide one?	As stated on page 58 of the consultation report in response to a similar issue:  'Whilst it would be desirable for all schools to have a hall on site, it is acknowledged that there are other schools in Powys which don't have a hall immediately adjoining the school.'
<b>10.5.1.8</b>	A hall is either essential or not essential: it cannot be both.	Both schools have access to a hall.

<b>10.5.1.9</b>	Given that there were at one point 56 pupils in Llanerfyl, seems a gross neglect of their welfare that no plan to build a hall was developed, if a hall is so necessary.	<p>In respect of Llanerfyl School, the Council has stated throughout the process that ‘Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.’</p> <p>The Council has also stated in the consultation report that ‘Whilst it would be desirable for all schools to have a hall on site, it is acknowledged that there are other schools in Powys which don’t have a hall immediately adjoining the school.’</p>
<b>10.5.2 Reference to kitchen / dining area</b>		
<b>10.5.2.1</b>	Llanerfyl school has been cooking and supplying meals to both schools for nearly two years – a smaller kitchen is more than capable to meet this purpose, there is no need for such a large and expensive kitchen as they have in Banw	It is noted that Llanerfyl school has been cooking and supplying meals to both schools over the last few years.
<b>10.5.2.2</b>	Reference to refectory. Following the recommendation of a recent Estyn Inspection, another Powys school recently turned its dining hall into a classroom to meet teaching needs. This was not challenged by the local authority. How is it that lack of a separate dining area is hugely deleterious to pupils in Llanerfyl but acceptable in other schools? This inconsistency raises the question of bias and makes a number of the so-called ‘reasons’ for closing Llanerfyl school seem more like excuses than reasons.	<p>The Council notes that another Powys school has recently turned its dining hall into a classroom in order to provide additional teaching space.</p> <p>The Council has not claimed that the ‘lack of a separate dining area is hugely deleterious to pupils in Llanerfyl but acceptable in other schools.’</p> <p>Concerns were raised during the consultation period about the lack of a separate dining area at Llanerfyl School compared with the situation at Banw School. In response to these concerns (outlined on pages 53-4 of the Consultation Report), the Council acknowledged on numerous occasions that Llanerfyl isn’t the only school where pupils eat in the classroom.</p>

<b>11. Reference to school transport / walking to school</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>11.1 Reference to increase in school transport costs</b>		

<b>11.1.1</b>	Query re transport costs – fail to understand how you have come to the conclusions that you have in relation to the transportation of the children i.e. the cost of providing transport to convey children to the upper region of the Banw Valley whilst already providing transport from the Upper Banw Valley, through Llanerfyl to Llanfair Caereinion – can only reach the conclusion that PCC has resolved its previous monetary difficulties.	The Council has considered additional transport costs, and has sought the advice of the Council’s transport department in order to estimate the impact of the two site options on transport costs. The Council has been clear throughout that merging the two schools and establishing one new school on either site would lead to an increase in school transport costs. However, as indicated throughout, the expectation is that the increase in transport costs would be the same, regardless of the site chosen.
<b>11.1.2</b>	Transportation costs – have never been able to obtain concrete transportation costs from officers during the consultation despite several requests.	Cabinet members asked for further clarification on the issue of Transport costs before making a decision on whether or not to proceed with the publication of a Statutory Notice in respect of this proposal. The explanation provided, which was included in Appendix F of the papers considered by Cabinet on the 30 <sup>th</sup> April, is as follows:
<b>11.1.3</b>	More children live closer to Llanerfyl school, so do not need to be transported to school at a cost of £136,000	‘The transport provider in the Banw / Llanerfyl area was asked to estimate the impact of implementation of either option on overall transport costs before Cabinet agreed to carry out consultation on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School.
<b>11.1.4</b>	Less transport costs at Llanerfyl site.	
<b>11.1.5</b>	Transport costs – more children live in the catchment of Llanerfyl which don’t need to be transported should the school be on the Llanerfyl site.	The response received indicated that the additional cost would be the same, whether the new school was located on the Banw site or on the Llanerfyl site.
<b>11.1.6</b>	The Llanerfyl site is more central and transport costs would be lower as a number of Llanerfyl children can walk or cycle to school.	As indicated in the Consultation Document:  ‘An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.  It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.’

		Home to school is already provided in the Banw Valley area. This includes transport from the area to Caereinion High School and NPTC college in Newtown, and link transport to both Llangadfan and Llanerfyl to provide access to transport to Ysgol Uwchradd Caereinion. Therefore, it is likely that no additional vehicles would be needed to achieve either option – home to school transport would be provided by transporting pupils on the routes already running, or by amending the routes already running to transport pupils to the new schools. This is why the increase in the daily cost is estimated to be the same for both sites.’
<b>11.2 Increased travel for families / parents</b>		
<b>11.2.1</b>	Most families favour activities and employment closer to Welshpool, so travelling to the Banw school would generate more travel.	The Council notes these comments regarding the location of the Banw site, and acknowledges that should a new school be established on the Banw site, there would be an impact on parents whose children currently attend Llanerfyl C. in W. (Foundation) School.
<b>11.2.2</b>	90% of parents travel to the Llanfair area for work, and the Llanerfyl site is much more convenient.	
<b>11.2.3</b>	The site at Banw is inconvenient for most parents who travel to work in the Welshpool direction, and for children who live in Llanerfyl who would have to travel further to attend after-school activities in Llanfair, Newtown, Welshpool and Meifod.	
<b>11.3 Impact on walking to school</b>		
<b>11.3.1</b>	Currently a large number of pupils can walk / cycle to school in Llanerfyl	The Council has identified throughout the process that pupils living in Llanerfyl can currently walk / cycle to school.
<b>11.3.2</b>	Why has the Cabinet chosen an option that means that not many children will be able to walk or cycle to school has they can do to Ysgol Llanerfyl?	The decision to proceed with an option to establish a new school on the Banw site was made based on the findings of the consultation exercise carried out.
<b>11.3.3</b>	During the consultation, education officers responded to comments querying the impact on pupils’ ability to walk / cycle to school by saying that they would look at creating a	The Council has not said that it would look at creating a footpath from Banw school to the Foel.

	<p>footpath from Banw school to the Foel – a footpath of 1.3 miles long along a busy trunk road, which would be too dangerous for children to walk along, supplied by a council facing massive austerity. This is not practical and would not be cost effective.</p>	<p>Some consultation responses were received which raised concerns regarding a lack of safe walking and cycling routes to Banw School. In it's response to these concerns, the Council stated that 'Should a new school be established on this site, the Council would investigate the possibility of establishing safe walking and cycling routes to the school' (p.29 of Consultation Report).</p> <p>Some suggestions were also received in terms of possible routes which could be established – 'From the main village to Ysgol Dyffryn Banw there is a potential to make a cycle track / walking route through the field alongside the river, to provide a car free route to school and the football pitch' (p.39 of Consultation Report).</p> <p>In addition, the following general comment was received relating to improving walking/cycling routes to either site:</p> <p>'Whichever site is chosen, Council spending should be put in place to provide safe walking/cycling routes from the main village centres (including Foel) to the chosen site, reducing car usage and encouraging physical activity both for school children and the wider community.' (p.81 of Consultation Report).</p>
<p><b>11.4 Reference to Active Travel (Wales) Act 2013</b></p>		
<p><b>11.4.1</b></p>	<p>Active Travel (Wales) Act 2013 – There are more children within walking distance of Llanerfyl than Banw, and close enough not to need transportation. As a result, these pupils who are currently able to walk to school will need to be transported – again this will have a financial implication to the council.</p>	<p>The Council notes this comment regarding the financial implication of additional home to school transport. As indicated elsewhere, the estimates received suggest that the additional cost would be the same whether a new school was established on the Banw site or on the Llanerfyl site.</p>
<p><b>11.4.2</b></p>	<p>Active Travel Wales Act 2013 – local authorities require continuous improvement in facilities and routes for pedestrians and cyclists. As greater numbers walk/cycle to school in Llanerfyl, Powys are contravening the act above.</p>	<p>Pupils living in the housing estate nearby the Banw site are able to walk / cycle safely to school. It is acknowledged that implementation of the proposal would impact on the ability of pupils currently attending Ysgol Llanerfyl to walk / cycle to school.</p>

<b>11.4.3</b>	Moving the school to the Banw site will contravene the Active Travel (Wales) Act 2013 – only a very limited number of pupils can walk to school from the adjacent housing estate at Llangadfan because of the location of the school on a major trunk road which doesn't allow any other children to safely walk to school.	Some consultation responses were received which raised concerns regarding a lack of safe walking and cycling routes to Banw School. In its response to these concerns, the Council stated that 'Should a new school be established on this site, the Council would investigate the possibility of establishing safe walking and cycling routes to the school' (p.29 of Consultation Report).
<b>11.4.4</b>	The Banw site does not provide safe walking and cycling routes to school as per the requirements of Active Travel (Wales) Act 2013.	<p>Some suggestions were also received in terms of possible routes which could be established – 'From the main village to Ysgol Dyffryn Banw there is a potential to make a cycle track / walking route through the field alongside the river, to provide a car free route to school and the football pitch' (p.39 of Consultation Report).</p> <p>In addition, the following general comment was received relating to improving walking/cycling routes to either site:</p> <p>'Whichever site is chosen, Council spending should be put in place to provide safe walking/cycling routes from the main village centres (including Foel) to the chosen site, reducing car usage and encouraging physical activity both for school children and the wider community.'</p> <p>(p.81 of Consultation Report).</p>
<b>11.4.5</b>	Cabinet has opted to site the new school in a building that is more expensive to run, with higher maintenance costs, higher percentage of empty spaces, in a location adjacent to social housing and busy main road with associated increase in pollution exposure, with increased transport costs and denying many who currently walk or cycle to school the opportunity to continue to do so. This goes against Active Travel Act and contributes unnecessarily to global warming.	<p>It is true that there are higher costs associated with the current site of Banw C.P. School, and that there would be a higher percentage of surplus places compared with a school established on the Llanerfyl site, however it was clear from the findings of the consultation exercise that the Banw site is considered to be more suitable for the provision of education.</p> <p>It is also true that, if the proposal were implemented, the new school would be established in the current Banw building which is adjacent to a small housing estate and on the main trunk road. The education of pupils in that school will not be affected by the fact that the school is adjacent to a small housing estate. Regarding the road, safeguarding is a critical factor for any school, and the school will need to ensure the safety of pupils at all time.</p>

		<p>The Council has acknowledged throughout that the establishment of one new school in the area would have an impact on travel, and that in the case of the proposal to establish a new school on the Banw site, this would mean that pupils who can currently walk or cycle to school in Llanerfyl would not be able to do so. This has been acknowledged throughout the process, both in the consultation documentation produced and in the associated impact assessments.</p> <p>It is true that there would be additional transport costs compared with the status quo should the Council proceed with the proposal, however overall, having taken the estimated additional transport costs into consideration, it is estimated that the proposal would result in annual savings to the Council of £53,820.</p>
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<b>12. Pupil numbers / Surplus places</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>12.1 Reference to pupil numbers</b>		
<b>12.1.1</b>	However much money the Council will spend on the building, there will be no point if there aren't enough pupils	<p>The Council notes these comments and acknowledges that should the Council proceed with this proposal, there is uncertainty with regard to the number of pupils that will attend the school.</p> <p>Projected pupil numbers for the two schools are provided in the consultation document, which provide an indication of the number of pupils that would be expected to attend a merged school. However following a decision on the way forward for the provision of primary education in the Banw Valley, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document.</p>
	In Sept 2020 there would be 46 pupils at the school, based on the assumption that all pupils attend the new school. However, 5 Llanerfyl pupils live nearer Llanfair Caereinion than Banw, and there is every likelihood that a further 6 pupils at least will not attend Banw	
<b>12.1.2</b>	Some parents are unwilling to send their children to Banw due to the threat of another closure, therefore pupil numbers at the new school will be lower.	
<b>12.1.3</b>	The sudden movement of children from Llanerfyl to Banw overnight has changed many parents' views, and as a result	

	they will not send their children to Banw – this will impact on pupil numbers at the new school.	
<b>12.1.4</b>	Recent actions by parents to move their children overnight has caused a major rift in the community. As a result, many Llanerfyl parents don't want to be associated with the new school. The number of pupils attending the new school in January 2021 will realistically be 36 pupils, with 56% surplus places at the Banw site.	
<b>12.1.5</b>	Many parents do not want to go through such a horrible and disgraceful process as this again – many foresee that this will happen again in the new school on the Banw site, with pupil numbers declining annually in a building which is too big, with high capital spend and annual costs for the projected pupil numbers. Not all pupils from Llanerfyl will attend the new school due to the reasons stated above.	
<b>12.1.6</b>	Moving children further away from after school specialist sporting activities results in a shorter school day for the pupil and a shorted working day for their parents. If parents need to pick their children up earlier, it further disrupts their working day. Llanfair is much closer to Welshpool, Newtown and Deeside than Llangadfan. When pupils attend sporting activities 5 days a week, this becomes very important.	
<b>12.1.7</b>	Parents will not travel from Llanfair 9 miles one way to the new school at Banw to drop their children then travel back to Llanfair, then start their commute to work in Welshpool, Newtown and further afield. If parents wanted an alternative school to Llanfair, they would choose Welshpool which is more convenient.	
<b>12.1.8</b>	Moving the site further away from approximately 20% of Llanerfyl's pupils reduces the catchment area. They now have the opportunity to attend Llanfair where a bus will pick them up. Pupils of Llanerfyl have access to other schools	

	nearby, however the pupils of Banw are more limited. With choice, not all will attend the new school, and for the new school to work, the numbers are important.	
<b>12.1.9</b>	Planning laws will not allow major housing developments in Llanerfyl, Llangadfan and Foel because of a new development plan which has changed the housing provision allowed in these small villages – removed the ‘development boundary’ from small villages, which has had a detrimental effect on the ability to approve moderate housing schemes in these areas. – Policy H1 – Housing Provision	The Council notes these comments which express a view that there is unlikely to be any significant increase in population numbers in the area.  Projected pupil numbers for the two schools are provided in the Consultation Document issued in respect of this proposal, these numbers do not anticipate any increase in the local population.
<b>12.1.10</b>	Population numbers in the area will never increase dramatically – there may be sporadic families moving to the area with children, but there are always children leaving for secondary school at the same period.	
<b>12.1.11</b>	No major industries in the Banw Valley to attract an influx of working families – people will not re-locate here, they will simply locate in the nearby town where they work, and save themselves the fuel cost of travelling to work.	
<b>12.1.12</b>	Pupils who began their education in Welsh will move to the English stream in Llanfair to get free transport – Please contact the admissions team at Llanfair Caereinion Primary School and undertake your own investigations if you think we are merely stating these facts to try and disrupt the process.	The Council has acknowledged throughout that there is a risk associated with both options that pupils would choose to attend alternative providers instead of the new school.  However following a decision on the way forward for the provision of primary education in the Banw Valley, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document. Transport would be provided to eligible pupils in accordance with the Council’s Home to School Transport policy.
<b>12.1.13</b>	Powys policy is to provide free transport to pupils to the nearest school in whichever language medium they choose. If parents have access to free transport, in the majority of cases, they will use this service rather than transport their children at their own cost – therefore it is unlikely that there will be an increase in pupil numbers at a new school on the Banw site.	

<b>12.1.14</b>	I don't understand the logic of closing the stronger school in terms of numbers and Welsh language to support a school that is failing in terms of numbers. When was the last time Powys did this? If you stick to this decision, it's only a matter of time before numbers drop again in Banw and you have to consider closing the school.	The Council is not closing the stronger school in order to support a school that is failing. The Council is proposing to close both schools, and to establish one new school to serve the whole Dyffryn Banw area.
<b>12.1.15</b>	Query regarding sustainability – with falling pupil numbers, the extra capacity at the Banw site may eventually cause inefficiencies which could cause it to need to close	Following a decision on whether or not to proceed with this proposal, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document.
<b>12.1.16</b>	Long term objective of this consultation is to achieve long term education in the valley. The Council are under pressure to move forward with this situation, however it needs to be the right decision. Long term sustainability will not be achieved by the current decision, you will be opening a new school which is unsustainable from day 1.	The aim of the proposal is to establish one new school in the area to replace the two current schools. Should the Council move forward with this proposal, the provision in the area would be more sustainable than the current level of provision.
<b>12.1.17</b>	A governor at Dyffryn Banw has said that they have a vision that the new school will be a super school, which will attract pupils from far and wide, which will need the large building which is at Banw to accommodate these pupils. This will not be the case – the new school will only have the same standards as pupils can achieve in Llanfair and Welshpool, and in Dinas Mawddwy. The new school will only have 46 in January 2021, and those numbers will decrease further in the future as shown in the consultation report.	The proposal is based on the number of pupils currently attending the two schools in the Banw Valley.
<b>12.1.18</b>	Numbers are already small, why do we need a larger school	The proposal does not propose increasing the size of the school.
<b>12.1.19</b>	Historically, only one pupil has travelled up the valley for education from Llanfair to Llanerfyl in the last 10 years. If they aren't able to come to Llanerfyl where education standards	The Council notes that historically there has not been a tradition of pupils travelling from Llanfair to Llanerfyl. The proposal to establish a

	are high (Estyn reports), then no potentially new pupils will travel further up the valley to Banw for the same standard of education as they would get in Llanfair for example.	new school on the Banw site isn't based on an expectation that pupils will travel from Llanfair.
<b>12.1.20</b>	Under Welsh Government regulations the school at Banw will be a 'new school' – it cannot be subject to closure for five years, however low pupil numbers should fall. The Council's School Transformation programme will grind to a halt as other schools, with numbers higher and costs lower than Banw will be able to oppose their own closure on the grounds that the Council is not acting with equity. The decision made on April 30 <sup>th</sup> will have negative repercussions not only in the Banw Valley but throughout Powys.	Whilst the Council would want to minimise disruption for learners affected by the current proposal, it is untrue that the Council would not be able to take forward proposals relating to the proposed new school for five years.
<b>12.2 Reference to surplus places</b>		
<b>12.2.1</b>	Has the number of surplus places been taken into consideration when making this decision?	Surplus places have been considered during this process. Concerns regarding potential surplus places at a new school on the Banw site were raised during the consultation period and outlined in the consultation report, which was considered by the Cabinet when determining whether or not to proceed with the publication of statutory notices at their meeting on the 30 <sup>th</sup> April 2019.
<b>12.2.2</b>	The fact that the number of surplus places in the new school will be at least 46% does not seem to have been properly considered.	
<b>12.2.3</b>	If all pupils transfer to Banw there will still be surplus place of 44%.	
<b>12.2.4</b>	Concern that there will be lots of empty places at the new school due to the bad feeling the decision has created.	
<b>12.2.5</b>	There would be 44% surplus places if all pupils attend the Banw site. However, with the number of pupils likely to start school there, there will be more like 58% surplus places	
		Whilst it is acknowledged that a number of surplus places would remain in a new school established on the Banw site, there would be a significant overall reduction in the number of surplus places across the Banw Valley area.
		Following a decision on whether or not to proceed with this proposal, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document.

<b>12.2.6</b>	Llanerfyl has less surplus places therefore more cost effective for Powys.	It is acknowledged that there would be less surplus places should a new school be established on the Llanerfyl site. However, following consideration of feedback received during the consultation period, the proposal is to establish a new school on the Banw site.  Although it is likely that a number of surplus places would remain in a new school established on the Banw site, there would be a significant overall reduction in the number of surplus places across the Banw Valley area.
<b>12.2.7</b>	There would be less surplus places at Llanerfyl – 28%, making the school a ‘learner’ more cost-effective solution	
<b>12.2.8</b>	Based on 46 pupils attending Banw there would be 44% surplus places; based on the same number of pupils attending Llanerfyl there would be 28% surplus places.	
<b>12.2.9</b>	If all attended the new school in Banw there would be 44% surplus capacity in Banw and 28% surplus capacity in Llanerfyl, creating an issue for the Welsh Government from a cost perspective	
<b>12.3 Reference to sustainability of the new school</b>		
<b>12.3.1</b>	Urge you to reconsider for the sake of a sustainable long term primary school education in this valley.	The aim of the proposal is to establish one new school in the area, to provide sustainable Welsh-medium provision in the area.
<b>12.3.2</b>	The new school will open with not many more pupils than were at Llanerfyl prior to the start of this consultation, but in a far bigger and more expensive building that has received a “C” grading for its condition from Powys’ own surveyors. Where is the sustainability in this?	Should the Council proceed with the proposal to establish one new school, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document.  Although it is likely that a number of surplus places would remain in a new school established on the Banw site, there would be a significant overall reduction in the number of surplus places across the Banw Valley area.  It is also acknowledged that the Banw building has been assessed as condition ‘C’, whilst the Llanerfyl building has been assessed as condition ‘B’. This has been acknowledged throughout the process.

		However, in terms of suitability, the Banw building has been assessed as B whilst the Llanerfyl building has been assessed as C/D.
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<b>13. Location / Accessibility</b>		
<b>Issue</b>	<b>Points raised</b>	<b>Council response</b>
<b>13.1</b>	Why has the Cabinet chosen to locate the new school on the site which is less attractive for children from the eastern side of the area?	The Cabinet agreed to proceed with a proposal to establish a new school on the Banw site having considered the feedback received during the consultation period, which included feedback from survey carried out as well as written feedback received.
<b>13.2</b>	Strategic location – if the school is moved further up the valley, not all will attend, putting the new school in danger.	The Council has acknowledged throughout the process that a new school located on the Banw site could be less attractive for some children currently attending the two schools. The Consultation Document issued as part of this proposal identified on page 19 that one of the disadvantages associated with establishing a new school on the Banw site: ‘Would be less convenient for Llanerfyl parents, many of whom work in the opposite direction’, and on page 20 identified a risk that ‘Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers.’
<b>13.3</b>	Geographical location – locating the school further up the valley reduces the catchment area, resulting in fewer pupil numbers. People further down the valley who live between Llanerfyl and Llanfair will decide on education in Llanfair Caereinion.	
<b>13.4</b>	Llanerfyl location is more convenient – work for 90% of parents is towards Llanfair Caereinion and beyond, not up the valley towards Banw.	
<b>13.5</b>	The Llanerfyl site better mitigates the risk of pupils attending other schools.	<p>However, the feedback from the consultation exercise suggested that establishing a new school on the Banw site was the community’s preferred option.</p> <p>There is always some element of risk in relation to school reorganisation proposals that parents will choose for their children to attend an alternative school. Parents are entitled to apply for a place for their child in whichever school they choose, and the Council has a duty to accommodate that choice where there is space available.</p> <p>‘Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers’ was identified in the Consultation Document as a risk related to the option to establish a new</p>

		school on the Banw site. However, this is also identified as a risk in respect of the option to establish a new school on the Llanerfyl site.
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#### 14. References to the successes of Ysgol Llanerfyl

Issue	Points raised	Council response
14.1	Despite the perceived lack of facilities at Ysgol Llanerfyl, the football team were 2 <sup>nd</sup> across Wales in the Urdd sports three weeks ago, and a number of past pupils play for current teams, such as North Wales Rugby under 16, North Wales football under 16, North Wales Hockey under 16 and in the Wales under 15 football squad.	The Council acknowledges the successes of Ysgol Llanerfyl, and acknowledges that the school has delivered high quality education to children in the area for many years.  However, as outlined in the Consultation Document, pupil numbers in the Banw Valley have reduced over recent years, and the Council is keen to identify a solution which will ensure that excellent educational opportunities continue to be provided to pupils in the area in the future.
14.2	Llanerfyl School has consistently delivered excellent education to the children of the parish for three centuries.	

#### 15. References to other options

Issue	Points raised	Council response
<b>15.1 Closer working with Caereinion High School</b>		
15.1.1	Why wasn't the option to work with the community and in partnership presented to the Cabinet in the 30 <sup>th</sup> April meeting considered?	Throughout the process, numerous opportunities have been provided for stakeholders to suggest alternative options. Alternative options suggested during the consultation period were outlined in the Consultation Report produced. Working in partnership with Ysgol Uwchradd Caereinion was not suggested during these processes.  Whilst it is acknowledged that there are some short term benefits to closer working between Ysgol Llanerfyl and Ysgol Uwchradd Caereinion, there are a number of reasons why a partnership between these two schools would not be a suitable long term solution. In particular:

		<ul style="list-style-type: none"> <li>- Llanerfyl School is a Welsh-medium school whilst Ysgol Uwchradd Caereinion is a dual stream school.</li> <li>- Llanerfyl School is a Church in Wales Foundation School, whilst Ysgol Uwchradd Caereinion is a community secondary school.</li> </ul>
<b>15.1.2</b>	Llanerfyl and Llanfair Caereinion High School have decided to collaborate, which will achieve greater value for money and greater opportunities for the pupils. The transition period from year 6 to year 7 will be an easier, smoother process. With strong links to the high school, transition periods will be minimised, allowing a child's education to continue on an upward line rather than there being a dip between leaving primary education and beginning secondary education, something which has been an issue. Many members of both communities saw this move as pioneering – surely more consideration needs to be given to this new system and the advantages both financially and educationally.	<p>Whilst it is acknowledged that there are some short term benefits to closer working between Ysgol Llanerfyl and Ysgol Uwchradd Caereinion, there are a number of reasons why a partnership between these two schools would not be a suitable long term solution. In particular:</p> <ul style="list-style-type: none"> <li>- Llanerfyl School is a Welsh-medium school whilst Ysgol Uwchradd Caereinion is a dual stream school.</li> <li>- Llanerfyl School is a Church in Wales Foundation School, whilst Ysgol Uwchradd Caereinion is a community secondary school.</li> </ul>
<b>15.1.3</b>	With ties formed with Caereinion High School which comply with your own school transformation policy, and a 'leaner more cost effective' site at Llanerfyl, this is the only way to potentially achieve long term sustainability which is vital to avoid visiting the area again to look at the new school with crippling financial burdens.	<p>Whilst it is acknowledged that there are some short term benefits to closer working between Ysgol Llanerfyl and Ysgol Uwchradd Caereinion, there are a number of reasons why a partnership between these two schools would not be a suitable long term solution. In particular:</p> <ul style="list-style-type: none"> <li>- Llanerfyl School is a Welsh-medium school whilst Ysgol Uwchradd Caereinion is a dual stream school.</li> <li>- Llanerfyl School is a Church in Wales Foundation School, whilst Ysgol Uwchradd Caereinion is a community secondary school.</li> </ul> <p>The Council does not agree that this is the only way to 'potentially achieve long term sustainability.'</p>
<b>15.2 Need to look at the whole catchment</b>		
<b>15.2.1</b>	School position needs to be looked at 'on the whole', not only in a small valley – need to look at a broader radius which includes 7 other primary schools with low numbers.	The aim during this exercise, as agreed with the two governing bodies during the early discussions carried out in respect of these proposals was to retain Welsh-medium provision in the Banw Valley.

15.2.2	As late as 12 <sup>th</sup> March 2019, when the Leader of the Council Rosemarie Harris suggested a wider area review, this suggestion was not acted upon, therefore the opportunity to create a stable situation has been lost.	Councillor Rosemarie Harris did not suggested a wider area review at the Cabinet meeting held on the 12 <sup>th</sup> March 2019.
<b>15.3 Reference to schools in the community</b>		
15.3.1	Schools in the community is a thinking in the 2018 school's transformation policy and something the councillors highlighted in the 7 <sup>th</sup> March meeting.	<p>The Council's School Organisation Policy (2018) does not refer to 'schools in the community'. The policy acknowledges the role of schools in local communities, and the contribution schools make to rural communities in particular.</p> <p>The aim of this proposal is to merge the two current primary schools in the Banw Valley by establishing one new primary school, which would ensure continued access to a rural Welsh-medium school in to serve the community in the Banw Valley.</p>