

CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET EXECUTIVE
8 March 2022**

**REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Education and Property**

REPORT TITLE: Llanbedr C. in W. School

REPORT FOR: Decision

1. Purpose

- 1.1 Further to the decision made by Cabinet on the 9th November 2021, the Council published a Statutory Notice proposing to close Llanbedr C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools.
- 1.2 The purpose of this report is to inform Cabinet members of the outcome of the statutory objection period and objections received.
- 1.3 The report includes a recommendation to proceed with implementation of the proposal to close Llanbedr C. in W. School from the 31st August 2022.
- 1.4 The report is supported by the following appendices:
- **Appendix A** – Statutory Notice
 - **Appendix B** – Objection Report
 - **Appendix C** – Updated Impact Assessments

2. Background

Strategy for Transforming Education in Powys

- 2.1 On the 14th April 2020, a new Strategy for Transforming Education in Powys was approved by the Leader via a delegated decision.
- 2.2 The Strategy was developed following extensive engagement with a range of stakeholders during two separate periods between October 2019 and March 2020. The Strategy sets out a new vision education in Powys, as follows:

'All children and young people in Powys will experience a high quality, inspiring education to help develop the knowledge, skills and attributes that will enable them to become healthy, personally fulfilled,

economically productive, socially responsible and globally engaged citizens of 21st century Wales.'

2.3 The new strategy also sets out a number of guiding principles which will underpin the transformation of education in Powys. These are as follows:

- *A world class rural education system that has learner entitlement at its core*
- *Schools that are fully inclusive, with a culture of deep collaboration in order to improve learner outcomes and experience*
- *A broad choice and high quality of provision for 14 – 19 year old learners, that includes both academic and vocational provision, meeting the needs of all learners, communities and the Powys economy*
- *Welsh-medium provision that is accessible and provides a full curriculum in Welsh from Meithrin to age 19 and beyond*
- *Provision for learners with Special Educational Needs (SEN)/Additional Learning Needs (ALN) that is accessible as near to home as is practicably possible, with the appropriate specialist teaching, support and facilities that enables every learner to meet their potential*
- *A digitally-rich schools sector that enables all learners and staff to enhance their teaching and learning experience*
- *Community-focused schools that are the central point for multi-agency services to support children, young people, families and the community*
- *Early years provision that is designed to meet the needs of all children, mindful of their particular circumstances, language requirements or any special or additional learning needs*
- *Financially and environmentally sustainable schools*
- *The highest priority is given to staff wellbeing and professional development*

2.4 The new strategy sets out a number of Strategic Aims and Objectives, to shape the Council's work to transform the Powys education system over the coming years. One of the Strategic Aims of the Strategy is to '*improve learner entitlement and experience.*' Within this aim, the Strategy sets out a Strategic Objective to '*rationalise primary provision.*'

2.5 On the 9th February 2021, the Council's Cabinet considered an options appraisal paper in respect of Llanbedr C. in W. School, and agreed to carry out consultation on the following:

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

The Consultation Period

- 2.7 Consultation on the proposal to close Llanbedr C.i.W Primary School was carried out in accordance with the requirements of the School Organisation Code (2018) from the 21st April 2021 to the 23rd June 2021.
- 2.8 A Consultation Report listing the issues raised during the consultation and the Council's response to them was published. This was considered by Cabinet on the 9th November 2021.
- 2.9 At the meeting on the 9th November 2021, Cabinet agreed to proceed with the publication of a Statutory Notice in order to proceed with the process to close Llanbedr C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools.

Statutory Notice

- 2.10 Further to the decision made by Cabinet on the 9th November 2021, the Council published a Statutory Notice proposing the following:

'i. To discontinue Llanbedr Church in Wales Voluntary Aided Primary School, Llanbedr, Crickhowell, Powys, NP8 1SR.'

It is proposed to implement the proposal on 31st August 2022.'

- 2.11 The Statutory Notice was published on the 18th November 2021 for a period of 28 days, in accordance with the guidance within the School Organisation Code (2018). A copy of the Statutory Notice is attached as Appendix A.
- 2.12 The objection period ended on the 16th December 2021.

Objections

- 2.13 349 objections were received during the statutory objection period.
- 2.14 Objections were received from the following:

- Parents and members of the community
- Governing Body of Llanbedr C. in W. School
- Diocese of Swansea and Brecon
- Vale of Grwyney Community Council
- Jane Dodds MS
- Cllr Jackie Charlton
- Cllr John Morris
- The Venerable Alan Jevons, Archdeacon of Brecon
- Rev Annabelle Elletson

- 2.15 A summary of the objections received are included in Section 3 of the Objection Report (Appendix B), along with the Council's response to the issues raised in the Objections.
- 2.16 As outlined in the Objection Report, the main issues raised in the Objections are as follows:
1. Comments about Llanbedr C. in W. School
 2. Impact on pupils
 3. Travel implications
 4. Impact on the community
 5. Comments about housing developments in the area
 6. Comments about other schools pupils might transfer to
 7. Comments about Church in Wales provision
 8. Comments about the Curriculum for Wales
 9. Comments about small and rural schools
 10. Comments about finance
 11. Criticism of the Council
 12. Comments about the process
 13. Comments about meetings which have taken place as part of the process
 14. Comments about documentation
 15. Comments about the Council's Transforming Education Strategy
 16. Comments about Welsh Government Strategies
 17. Alternative options

3 Advice

- 3.1 Having considered the objections received, it is recommended that the Council proceeds with implementation of the proposal to close Llanbedr C. in W. School from the 31st August 2022, as outlined in the Statutory Notice (Appendix A).
- 3.2 The reasons for this are as follows:
- To address the issue of low pupil numbers
 - To reduce the Council's overall surplus capacity in primary schools
 - To realise a financial saving to the Council
 - To enable pupils to attend larger schools, which would be better equipped to meet the requirements of the new curriculum
 - To enable pupils to attend larger schools, which could provide a wider range of educational and extra-curricular opportunities
 - To enable pupils to attend schools with better quality accommodation
 - To lead to rationalisation of the primary school estate
 - The proposal meets all the Critical Success Factors

4. Resource Implications

- 4.1 The amount of funding provided to schools is driven by the funding formula. Any change to the formula funding provided will impact on the Council's revenue budget. A new funding formula for primary phase schools was agreed in December 2021 which changes the estimated savings previously provided.
- 4.2 Based on the funding formula and the pupil numbers at the time of consultation on this proposal, it was estimated that implementation of the proposal would deliver annual revenue savings to the Council of around £101,100 per annum. This overall figure comprises a potential saving on schools' delegated funding of over £153,500 plus estimated savings on catering costs of around £9,000, reduced by estimated additional transport costs of £43,700 and a potential loss of funding for pupils that may move out of county of £17,700.

The Council has recently approved a new funding formula which will become operational from April 2022. Based on the new formula, the anticipated formula funding saving on this proposal is now estimated to be just over £91,000.

The other resource implications are not anticipated to change so the overall revised estimated saving, including transport costs, catering savings and potential loss of RSG is now just under **£39,000**.

- 4.3 The Statutory Notice published in respect of this proposal states that in addition to transport being provided in accordance with the Council's Home to School Transport Policy:

'The Council will also provide transport for pupils currently attending Llanbedr Church in Wales Voluntary Aided Primary School who wish to access Church in Wales school provision at Llangattock Church in Wales Voluntary Aided Primary School. This will be provided on a case-by-case basis using the Council's discretionary powers under Section 6 of the Learner Travel (Wales) Measure 2008.

If there is no place available at Llangattock Church in Wales Voluntary Aided Primary School, the Council will use its discretionary powers, as outlined above, to provide transport for pupils currently attending Llanbedr Church in Wales Voluntary Aided Primary School to their next nearest Church in Wales school, if they wish to access Church in Wales school provision.'

As the Council does not currently know which schools the pupils would choose to transfer to, it is not possible to estimate the potential cost of this. However the potential range of costs which might be incurred are set out below, depending on how many pupils require transport, over

what distance and whether existing transport provision could accommodate these pupils:

- **Minimal costs** – all pupils can be accommodated within existing transport provision, albeit some routes may need to be extended
- £10 - £20 per school day - £1,900 - £3,800 per annum
- **Need to increase size of bus** – £50 per day - £9,500 per annum
- **Additional Taxi required** – approx. £60 - £75 per day - £11,400 - £14,250 per annum
- **New bus required** – £170 - £230 per day - £32,300 - £43,700

The financial impact of this arrangement would be for a limited period of up to 7 years, following which the whole life cost impact would continue to be a net saving to the Council.

Implementation of the proposal enables a more cost-effective and sustainable approach to the provision of school places within the cluster by utilising surplus places at other schools within the cluster, and removing any costs associated with maintaining Llanbedr C.i.W Primary School.

It can also be assumed that any additional transport costs to alternative Church in Wales provision would be minimal based on significant concerns raised during the consultation and objection period about children travelling excessive distances to schools.

4.4 The school had a cumulative surplus balance of £22,263 as at the 31st March 2021. The budget approved by the Governing Body for the current year shows this decreasing to £13,861 by 31st March 2022.

4.5 The Scheme for Financing Schools also states the following in section 3.7.2:

‘In order to ensure effective stewardship of the resources available to schools, the Authority may impose additional restrictions on a school scheduled to close, including but not limited to:

- Restriction of expenditure to agreed plans
- Removal of powers of virement’

4.6 It is therefore proposed that:

- Spend at the school is restricted to that included in its approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
- Any staffing changes are subject to approval by the Authority;
- Any contracts awarded for the supply of goods or services are subject to approval by the Authority.

This will ensure that expenditure is limited to that which is absolutely necessary to protect Council resources.

- 4.7 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, HR and Finance.
- 4.8 The Head of Finance (Section 151 Officer) notes the financial implications of the proposal and supports the proposals set out in section 4.6 above as per the recommendation.

5. Legal implications

- 5.1 Legal: the recommendations can be accepted from a legal point of view
- 5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: “ I note the legal comment and have nothing to add to the report”.

6. Comment from local member(s)

- 6.1 Cllr John Morris:

‘I have spent the last two days reading and checking the report and its accompanying papers. There are 349 objectors to this closure and not one in support.

The report and papers do not sustain any argument for closure in fact the conclusion in the impact assessment indicates that closure would have a significant impact on the community of Llanbedr which includes the pupils at the school. It also states that it would result in additional travel to school and for extra after school activities. It also raised concerns at the loss of nursery provision in a rural area and the lack of public transport to access this further afield.

The reasons given for closure have not been proven. The school is presently piloting the new curriculum with the head leading on this in the cluster. The recent letter from the Welsh Government experts states ‘I can confirm that the new Curriculum for Wales is appropriate for all schools and settings in Wales working with learners aged 3 to 16 including small rural schools.’ The school numbers have increase year on year and after Easter a further two pupils will join resulting in a full school. This means that the cost per pupil is below the Powys average.

What is concerning in this report is that there is a perceived lack of concern about the children themselves and the voice of the child is not being listened to. Those cabinet members who attended the school recently cannot have missed the happy children learning in a successful, high achieving school in a vibrant community. The report suggests that should the school close the pupils could attend other

nearby schools in the cluster. In fact, evidence shows there is little if any provision in all but one school, particularly for Church Schools and despite the report suggesting this is not a problem these 55 pupils will be scattered to the four winds to schools between 3 and 15 miles away with an increased travel commitment. The report also indicates that they cannot guarantee that siblings presently at the school could be accommodated in a single receiving school. This situation creates huge problem for parents. There is no educational, social or recreational benefit to the children in closing Llanbedr School and distributing them far and wide to other schools.

Recently and somewhat out of the blue it has been suggested that a consultation be launched on an all through School in Crickhowell. Whilst this may have some legs this is being proposed without including the other three primary schools in the catchment area. Surely this is a strong case for halting a decision that could come back to haunt the council and wait for a whole area consultation to be carried out. This would be a sound educational process unlike the peace-meal approach that appears to be being adopted here.

I would urge the cabinet to reject the proposal. Put yourself in the parents and children's shoes. Do you really think they would be better off when their present school can achieve the same high level of education and care?'

7. Integrated Impact Assessment

- 7.1 An initial impact assessment was considered by Cabinet on the 9th February 2021.
- 7.2 In addition, a range of draft impact assessments were produced as part of the consultation documentation. These included an Integrated Impact Assessment, an Equalities Impact Assessment, and a Community Impact Assessment.
- 7.3 The draft impact assessments were updated to reflect issues raised during the consultation period and the updated impact assessments were considered by Cabinet on the 9th November 2021 when considering whether or not to proceed with the publication of a statutory notice.
- 7.4 These have been further updated following the objection period, and the updated versions are attached as Appendix C.

8. Recommendation

- To receive the Objection Report in respect of closing Llanbedr C. in W. School.

- To approve the proposal to close Llanbedr C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools.
- In accordance with the Scheme for Financing Schools, to introduce the following restrictions on Llanbedr C. in W. School:
 - Spend at the school is restricted to that included in its approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
 - Any staffing changes are subject to approval by the Authority;
 - Any contracts awarded for the supply of goods or services are subject to approval by the Authority.

Contact Officer:	Marianne Evans
Tel:	01597 826155
Email:	marianne.evans@powys.gov.uk
Head of Service:	Emma Palmer – Head of Transformation & Communications Debbie Lewis – Interim Chief Education Officer
Corporate Director:	Lynette Lovell – Director of Education