

CABINET

Date of Meeting	Tuesday, 12 th July 2022
Report Subject	The School Standards and Organisation (Wales) Act 2013, School Organisation Code for an enlargement of the premises of a school for Drury C.P. School and Penyffordd C.P. School
Cabinet Member	Leader of the Council and Cabinet Member for Education, Welsh Language, Culture and Leisure
Report Author	Chief Officer (Education and Youth)
Type of Report	Operational

EXECUTIVE SUMMARY

This report seeks approval to issue a statutory notice through 'The School Standards and Organisation (Wales) Act 2013, School Organisation Code' for an enlargement of the premises at two schools - Drury C.P. School and Penyffordd C.P. School.

The Code sets out Regulated Alterations to Community, Foundation and Voluntary schools requirements in relation to the enlargement of school premises.

The proposed investment projects at Drury C.P. and Penyffordd C.P. meet the triggers that require consultation on increased capacity for each school through the Welsh Government's legal framework.

RECOMMENDATIONS

1	Cabinet confirms its approval to proceed to issue statutory notice through 'The School Standards and Organisation (Wales) Act 2013, School Organisation Code' for an enlargement of the premises at Drury C.P. School and Penyffordd C.P. School.
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REPORT DETAILS

1.00	BACKGROUND
1.01	<u>Drury C.P.</u> Drury C.P. School forms part of the 21st Century Schools, Band “B” investment programme which is jointly funded through Welsh Government and Flintshire County Council.
1.02	On the 16 th March 2021, Cabinet agreed to move forward with the investment project at Drury C.P.
1.03	The original feasibility study was completed in 2017. At the time, Drury C.P. School capacity was 124 Full Time (FT) pupils with an Admission Number of 17 and this included one mobile classroom. The feasibility study assumed a new capacity of 150 FT.
1.04	Since, September 2021, based on Welsh Government guidance, the capacity has increased to 160 FT with an Admission Number of 22 as the second mobile classroom has been on site for four years, which triggers its inclusion within the school’s capacity assessment.
1.05	Having reviewed the pupil numbers and projections, it is proposed to increase the scope of the project further. The proposal would be to extend and refurbish the school to cater for an increased capacity of 180 FT.
1.06	This means that the capacity will increase over the 25% within a five year period and this triggers the requirement to consult through ‘The School Standards and Organisation (Wales) Act 2013, School Organisation Code’ for an enlargement of school premises. On 16 th November 2021, Cabinet agreed to commence statutory consultation.

1.07

Statutory consultation commenced on 1st March 2022 and ended on 11th April 2022. 42 responses were received including a formal response from Estyn and school pupil council. 90% of responders supported the proposal. The key positive and negative themes from the consultation responses are noted below.

Children & Young People Responders

Positives	Negatives
<p>The pupils gave a positive response on what they would like to see in their future expanded school:</p> <ul style="list-style-type: none"> • An expansion of corridors, classrooms, the hall, changing rooms, storage space for PE, dining area, yard and toilets. • They referenced their outdoor area with development of a pond site, a track around the field and a canopy for wet play. • More toilets, a library, a meeting room and water dispensers were also identified as required. 	<p>None noted</p>

Adult Responders

Positives	Negatives
<ul style="list-style-type: none"> • Much needed additional space • Positive impact of removal of temporary mobile classrooms • Long overdue expansion which will be of great benefit to pupils. 	<ul style="list-style-type: none"> • Parking/Traffic concerns • Concern over increased class sizes

More detailed responses to the comments can be found in Appendix A including a formal response from Estyn.

1.08

When reviewing the outcome of the consultation process for Drury C.P. Cabinet are asked to consider the following points:-

- the likely impact on quality and standards in education,
- the likely impact on the community, and
- the likely effect of different travelling arrangements

Cabinet are asked to consider and confirm whether it considers the implementation of the proposal, (wholly or partly) to be the most

	appropriate response to the reasons it identified for the proposal and give reasons for its conclusion.								
1.09	<p><u>Penyffordd C.P.</u></p> <p>A new primary school was constructed to replace the former infant and junior school with the school taking occupation of the new facility in September 2019.</p>								
1.10	The original planning approval for the new school at Penyffordd included a planned two classroom extension which would increase the capacity of the school to 375 FT pupils.								
1.11	This project is now being brought forward due to local demand and is funded from a combination of Section 106 developer contributions to Education and the Council's own capital programme.								
1.12	The current proposals to increase the capacity at the school require consultation to be issued through 'The School Standards and Organisation (Wales) Act 2013 School Organisation Code' for an enlargement of the premises of a school (excluding nursery and special schools), as there would be 25% increase in capacity within five year period.								
1.13	For both schools, delivery of these schemes cannot proceed until such time that statutory proposals to increase the capacity of the schools have been published and consulted upon.								
1.14	<p>Statutory consultation commenced on 1st March 2022 and ended on 11th April 2022. 84 responses were received including a formal response from Estyn and school pupils. In the online standard response form 73% of responders supported the proposal. The key positive and negative themes are noted below.</p> <p>Children & Young People Responders</p> <table border="1"> <thead> <tr> <th>Positives</th> <th>Negatives</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Pupils would like the classrooms to mirror the ones they currently have. </td> <td> <ul style="list-style-type: none"> Concern over amount of toilets Concern over losing some of their play space where the build is going to be. </td> </tr> </tbody> </table> <p>Adult Responders</p> <table border="1"> <thead> <tr> <th>Positives</th> <th>Negatives</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Much needed space to allow for the expanding village. Important that children from the local area get into their local school. </td> <td> <ul style="list-style-type: none"> Parking/Traffic concerns Should have been considered in phase 1 Increasing size of Penyffordd village Disruption to residents and pupils. </td> </tr> </tbody> </table>	Positives	Negatives	<ul style="list-style-type: none"> Pupils would like the classrooms to mirror the ones they currently have. 	<ul style="list-style-type: none"> Concern over amount of toilets Concern over losing some of their play space where the build is going to be. 	Positives	Negatives	<ul style="list-style-type: none"> Much needed space to allow for the expanding village. Important that children from the local area get into their local school. 	<ul style="list-style-type: none"> Parking/Traffic concerns Should have been considered in phase 1 Increasing size of Penyffordd village Disruption to residents and pupils.
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	<ul style="list-style-type: none"> • More Foundation Phase space is needed. • Welsh language considerations are important. 	<ul style="list-style-type: none"> • School is becoming too big, stretching resources and staff. • Class sizes. • Air pollution/green space impacts. • Impact on local secondary school.
	<p>More detailed responses to the comments can be found in Appendix B including the formal response from Estyn.</p>	
1.15	<p>Cabinet when reviewing the outcome of the consultation process for Penyffordd C.P. are asked to consider the following points:-</p> <ul style="list-style-type: none"> • the likely impact on quality and standards in education, • the likely impact on the community, and • the likely effect of different travelling arrangements <p>Cabinet are asked to consider and confirm whether it considers the implementation of the proposal, (wholly or partly) to be the most appropriate response to the reasons it identified for the proposal and give reasons for its conclusion.</p>	
1.16	<p>Subject to Cabinet approval the statutory notice would be issued in September 2022. This provides time for officers to prepare the appropriate paperwork. The anticipated time line for consultation is noted as Appendix C.</p>	

2.00	RESOURCE IMPLICATIONS
2.01	<p>The financial resources required to undertake the expansion at both schools are already identified and will come from within the Council's Band B 21st Century Schools programme, from Section 106 contributions from the property developer or from the Council's own capital programme. There is no additional funding required.</p>

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>All projects are managed using a risk register. Risks are managed accordingly, and financial risks are managed through a project contingency. Any high level risk which cannot be managed with the projects/programme will be incorporated into the risk register for the Education and Youth Portfolio.</p>

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Subject to Cabinet agreement, statutory notice to invite anyone to make objections to the proposals will be issued, through the School Standards and Organisation (Wales) Act 2013, School Organisation Code by the School Modernisation Team. If objections are received, the Council must publish an objection report providing a summary of the objections and their responses to them within 28 days of the end of the objection period.

5.00	APPENDICES
5.01	Appendix A - Copy of consultation outcomes for Drury CP Appendix B - Copy of consultation outcomes for Penyffordd C.P. Appendix C – Copy of Anticipated Consultation Timeline

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	School Organisation Code – The School Standards and Organisation (Wales) Act 2018 https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf
6.02	Link to consultation reference documents https://www.flintshire.gov.uk/en/Resident/Schools/School-Modernisation-Related/Home.aspx

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jennie Williams Telephone: 01352 704015 E-mail: jennie.williams@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
	<p>School Organisation Code – The new School Standards and Organisation (Wales) Act 2018 makes Local Authorities responsible (rather than the Welsh Ministers prior to October 2018) for the determination of most statutory school organisation proposals that receive objections.</p> <p>21st Century Schools - Is a collaboration between the Welsh Government (WG), the Welsh Local Government Association (WLGA) and local authorities. It is a major, long-term and strategic capital investment programme with the aim of creating a generation of 21st century schools in Wales.</p> <p>S106 – Is an agreement between a developer and the local Planning Authority, which assists in reducing impact of a development on a community.</p>