

DIRECTORATE OF LEARNING AND SKILLS

Consultation Response Report

Consultation on the proposal to transform special education in the Vale by:

- **Increasing the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and**
- **Constructing a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.**

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Background

This report presents the feedback received during the consultation, undertaken from **6 November 2020 to 20 December 2020**, in response to the Council's proposal to transform specialist education by;

- **Increasing the capacity of YYD to accommodate an additional 150 pupils; and**
- **Constructing a new building on the preferred site located in Cosmeston, Penarth for September 2023, which would operate as an additional site under the management of YYD.**

This report outlines the consultation process, provides an overview of responses to the consultation, and offers further details of the key issues and favourable comments raised by stakeholders.

Outline of the consultation process

The consultation processes followed Welsh Government guidelines, in compliance with the Schools Standards and Organisation (Wales) Act 2013 and in line with the School Organisation Code 2018. The consultation processes gave prescribed consultees the opportunity to learn about the proposal and for the Council's Cabinet to hear the views of all those with an interest so that they can be taken into account before any decisions are made.

Publication of the consultation

Formal consultations were conducted through a consultation document and response form distributed electronically to prescribed consultees and published on the Vale of Glamorgan Council website on the 6 November 2020. Consultees were also provided with an email link to the Vale of Glamorgan Council's website. Hard copies of the consultation document were available upon request.

The publication of a consultation document is central to the consultation process for school reorganisation and is prescribed by Welsh Government in the School Organisation Code 2018. The consultation document outlined the proposal being considered, the rationale for the proposal and the details of the consultation exercise. The consultation document also incorporated an individual response form. Consultees were advised of the availability of an online version to complete.

Consultation stakeholder engagement

Engagement for the consultation on the proposal was undertaken with prescribed consultees as contained within the School Organisation Code 2018.

The following groups were consulted:

Staff (teaching and non-teaching) at YYD	Governing Body of YYD
Parents/Carers and Guardians of children YYD	Diocesan Directors of Education
Town and Community Councils	Vale of Glamorgan Early Years Development Partnership (EYDCP)

Vale of Glamorgan Children and Young People's Programme Board	Local Councillors
Assembly Members (AM's) / Members of Parliament (MP's) / Regional Assembly Members	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Primary and Secondary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trade Unions
Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council's Transportation Department	

Consultees were invited to complete a formal consultation response form which could be completed in hard copy or online via the Council's website at: www.valeofglamorgan.gov.uk/whitmorespecialistresourcebase

Due to the ongoing implications of the Coronavirus, parent and community drop in sessions were not held to limit interaction between staff, parents and the wider community. However, open communication channels were maintained throughout the consultation by phone and email. The FAQs were also updated to reflect queries raised throughout the consultation period (Annex C).

We have endeavoured to arrange a consultation session with pupils, but it has not been possible for this session to take place due to ongoing Coronavirus restrictions. Pupils were able to respond via the formal consultation response form, but no responses have been received. We will aim to reschedule a pupil engagement session to be undertaken by an independent body for a later date, should Cabinet approve the proposal.

Consultation Questions

Consultees were asked for their opinion on the key question:

Do you support the proposal to transform specialist education by:

- **Increasing the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and**
- **Constructing a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.**

Consultees were able to respond with Yes, No or No opinion either way.

Consultees were also offered the opportunity to comment further:

"If you would like to suggest any changes or alternatives to the proposals, please detail these below."

Any other comments?"

Consultation responses

The consultation responses received in writing between 6 November 2020 and 20 December 2020 are outlined below.

Summary of responses

102 individual responses were received by the consultation closing date. Of the total 102 individual responses, 90 were in favour, 11 were opposed, and 1 stated no opinion either way. The breakdown of responses is detailed in the tables and charts below.

It has been noted that not all consultees provided a response to each of the questions and that some forms were not fully completed. In these cases, we have accepted the responses to the questions that they have chosen to answer.

As table 1 and chart 1 below show, 90 of the respondents (88%) were in favour of the proposal, 11 of the respondents (11%) were against the proposal, and 1 (1%) indicated no opinion either way.

Table 1 – Breakdown of consultation responses						
Total (individual) responses:	Total support		Total not support		Total no opinion	
	No.	%	No.	%	No.	%
102	90	88%	11	11%	1	1%

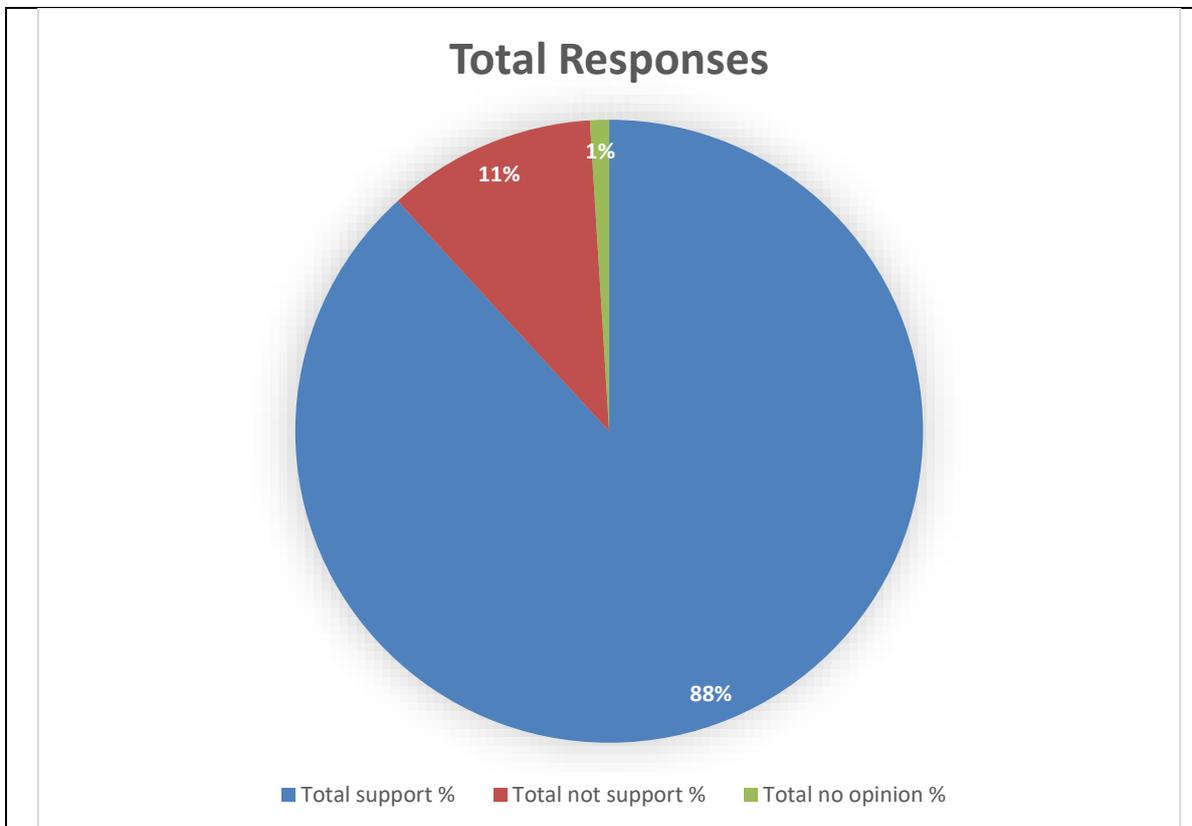


Chart 1 – Split of responses supporting or not supporting the proposal, and those responses with no opinion either way

Respondents were asked to indicate their role in relation to the proposal, respondents were able to tick more than one option.

As table 2 and chart 2 below show, some respondent groups had mixed views on the proposal, whereas others had a clear consensus. The largest group of respondents indicated that they were members of staff (82 respondents – 98.78% in favour, 1.22% with no opinion either way), followed by local residents (15 respondents – 33.33% in favour, 66.67% against) and then parents or guardians (9 respondents – 66.67% in favour, 33.33% against). “Other” (3 respondents – 66.67% in favour, 33.33% against) included NHS workers and Friends of the Earth Barry & Vale.

Table 2 - Breakdown of consultation responses by role				
Response by role:	Support	Not support	No opinion	Total
	No.	No.	No.	No.
Parent or guardian	6	3	0	9
Grandparent	0	3	0	3
Pupil	0	0	0	0
Member of staff	81	0	1	82
Governor	6	0	0	6
Local Resident	5	10	0	15
Other	2	1	0	3

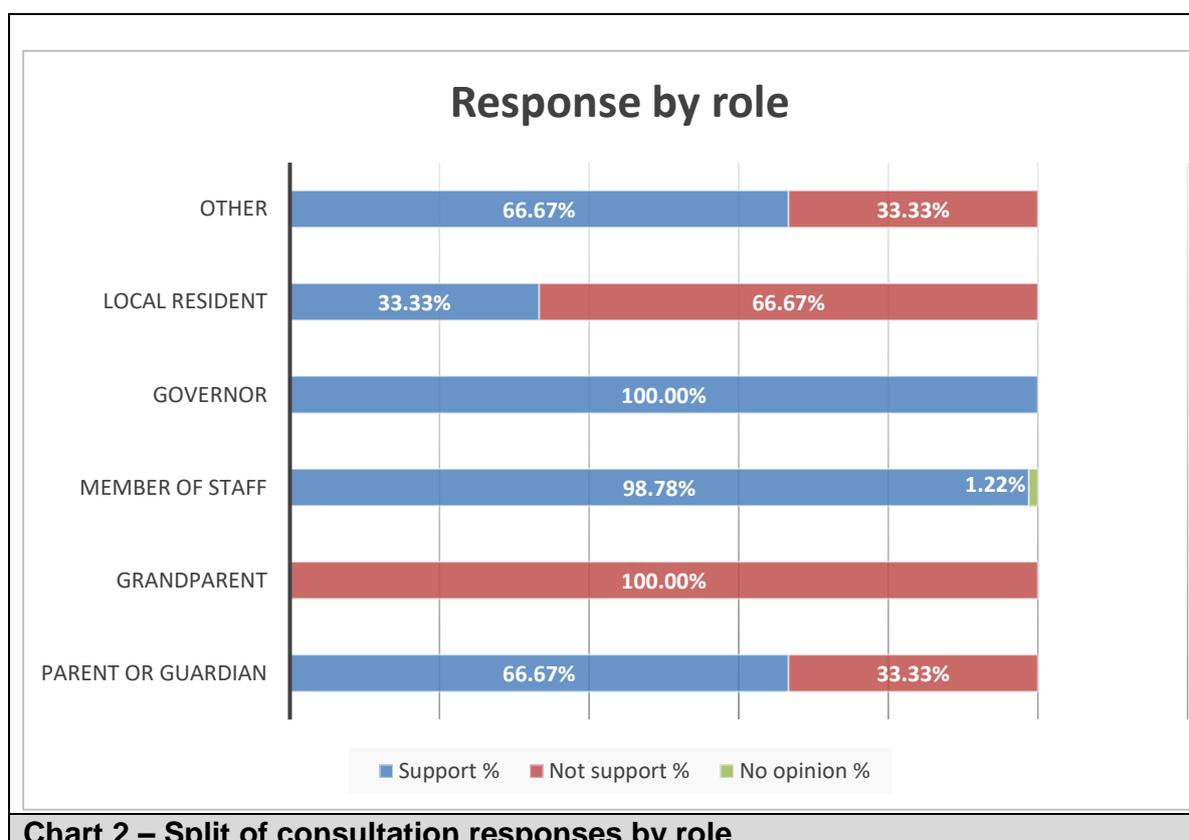


Chart 2 – Split of consultation responses by role

Responses in detail

Annex	Description
Annex A	A summary of key issues raised by statutory consultees and the response to those issues can be found at Annex A.
Annex B	A summary of the comments received in favour of the proposal can be found at Annex B.
Annex C	The frequently asked questions (FAQs) document has been updated to include the key questions raised during the engagement sessions (Annex C).
Annex D	A formal response was submitted by Estyn and can be found at Annex D.
Annex E	The consultation document was referred to the Learning & Culture Scrutiny Committee on 10 December 2020. The minutes of this meeting can be found at Annex E.
Annex F	A formal response was submitted by the governing body of Ysgol Y Deri and can be found at Annex F.
Annex G	A formal response was submitted by the Penarth Town Council and can be found at Annex G.

Conclusion

Following consideration of the responses received throughout the consultation period, the Council has revisited the proposal to determine the likely impact on quality and standards in education, the local community and travel arrangements.

Quality and standards in education

This proposal would likely have a positive impact on the quality and standards in education. As noted by respondents, the proposed expansion of YYD would enable more pupils to access specialist education who might otherwise be excluded.

The new building and site at YYD has been designed to meet the needs of a wide range of pupils and would provide greater access to the curriculum and extra-curricular activities.

The provision would be managed by the headteacher and governing body of YYD. The new school has been designed to accommodate up to 150 learners. It is proposed that the new school building would be completed for September 2023. Temporary accommodation would be put in place to meet projected pupil demand in the interim.

Estyn's response noted that "this proposal is unlikely to have a negative impact on the standard of education provision in the area."

Community impact

A Community Impact Assessment was undertaken and published alongside the consultation document. The assessment concludes that the proposal would likely have a positive impact on the local community through increased community facilities.

It is proposed that any community services currently provided by YYD would continue and these could be expanded upon within the new facility. Examples of services YYD provide which would be continued and potentially expanded upon are detailed below:

- Big Lunch – older pupils put on a lunch for 100 members of the local community
- Simon Jones – Senior Health Living Officer (Disability Sports) – organises sporting events with groups coming in to offer one off PE style sessions (basketball wheelchair, soccer previously) and organises community sporting events.
- Physios provide treatment for community children on a regular basis during term times and school holidays.
- Training has been held in YYD for health professionals on weekends and during school holidays
- Whizzkids wheelchair club held in school during the summer holidays
- Playscheme in holiday time

One comment was received regarding the Community Impact Assessment during the consultation period. However, no change to the CIA will be made as a result of this comment (see issues section below). Some respondents noted that they believe the proposal would have a positive impact upon the local community (see comments section below).

Travel arrangements

Traffic and transport implications would be considered as part of the Transport Assessment that would be required in order to achieve planning consent for the building works should this proposal be implemented. A full transport assessment would be undertaken as part of the design process for the new school building. This would assess the impact on the local infrastructure and include a swept path analysis to ensure compliance with current legislation on accessibility for all emergency services. The transport assessment would be used as part of the design process to mitigate against any negative impacts identified.

The transport assessment would also determine the requirement for on-site drop-off and pick-up facilities to accommodate school transport arrangements. It would also be used to inform the required number of car parking spaces to accommodate staff.

As the purchase of the site is dependent on the Council obtaining planning permission, an Outline Planning Application will be submitted. The planning process includes a statutory consultation with local residents. Firstly, the Pre-Application Consultation (PAC) allows residents to provide feedback on the proposed design, as well as the transport assessment, to the contractor. The PAC was launched on 4 January 2021. Final designs would then be subject to the formal planning process. Local residents would be notified of the planning application and would be able to submit feedback that would be considered by the Council's Planning Committee.

Additional Learning Needs (ALN) pupils with specific travel requirements which cannot be met with reasonable adjustment on mainstream transport will have their eligibility determined by the ALN Team.

ALN pupils will be eligible for free transport if they are assessed as having severe and/ or complex difficulties and are attending a special school or specialist resource base as directed by the Complex Needs Team or a class in a mainstream school which is 2 miles or further (primary aged pupils) and 3 miles or further (secondary aged pupils) from the parental home address as measured by the shortest available walking route.

Consideration will be given for free school transport for ALN pupils living within the 2 and 3 mile limits on an individual basis, complying with Section 9 of the Learner Travel (Wales) Measure 2008, ensuring fairness and compliance with relevant equality legislation to ensure no unlawful discrimination between learners. This decision will be made in consultation with all relevant parties. If a pupil cannot walk to school (either with the support of an appropriate adult or independently depending on their age/ability) because of the nature of their additional learning needs or disability, the council will provide free home to school transport even if the distance is less than the statutory limit. The decision on this will be made by the Passenger Transport Team in conjunction with schools and the Complex Needs Team. If possible and in conjunction with the agreement of the learner, parent/carer, the school and the Complex Needs Team escort provision may be provided, instead of transport, to enable the pupil to get to school independently. This promotes sustainable modes of travel and encourages independent living as well as health and well-being.

School transport is currently provided to 229 pupils at YYD. In total, there are 45 vehicles serving the existing site which can be broken down as follows:

- 5 vehicles provide transport for more than 10 pupils;
- 5 vehicles provide transport for between 6 and 10 pupils; and
- 35 vehicles provide transport for 5 pupils or less.

If the proposal were to progress, active travel would be an important consideration within the site design to support the realisation of the Active Travel (Wales) Act 2013. Active travel would be assessed as part of the planning process outlined above. The 21st Century Schools team and contractors would work with the school to develop an updated travel plan which would support measures to increase active travel to school.

Annex A - A summary of key issues raised by statutory consultees and the Council's response

The following summarises the key issues raised during the formal consultation period. The issues present an overview of responses and are not intended to be verbatim. All written responses have been made available to Cabinet Members.

Issue 1 - Issues related to the choice of site:

1.1 Respondents disagreed with the choice of site next to the proposed new housing development in Cosmeston. This site would increase traffic issues and reduce natural green space.

Council's response to the concerns raised:

Site choice

YYD currently forms part of Penarth Learning Community (PLC) alongside St Cyres Comprehensive School. The establishment of PLC was the result of a £50m investment to construct state of the art education facilities. It is not possible to increase the capacity of YYD on the existing site any further due to limited external space available, and the likely impact this would have on the local infrastructure around the site. The PLC site already accommodates around 1,400 learners.

The preferred approach is to construct a new school building on a separate site which would form part of YYD. The additional school building would primarily accommodate primary aged pupils. However, the school would operate a needs-based approach to determine the split of pupils across the two sites. This would reduce the need to duplicate all facilities currently available at YYD.

The Council considered a wide range of sites to deliver the expansion of Ysgol Y Deri. This initially involved considering Council-owned sites and was then widened to include sites that could be available to purchase.

No brownfield sites were identified that met the requirements for the proposed school building. As the school would form part of YYD, it was also considered essential that the building was in close proximity to the existing YYD building as staff would work across both sites.

The Council has identified a preferred site which is located next to the proposed 'Land at Upper Cosmeston Farm, Lavernock' development which has been allocated as part of the Council's adopted Local Development Plan (LDP) 2011-26. This area provides sufficient space to construct the proposed new school building and is approximately 3 miles from the existing YYD site.

The preferred site is currently owned by Welsh Government and the Council has an agreement in principle to purchase the land, subject to planning permission being obtained. Alongside the consultation, the Council is looking to obtain outline planning permission in order to progress with the site purchase, which would be subject to Cabinet approval.

The design of the school building would complement the surroundings. Green open

space would be retained as much as possible to provide external play areas for the school and community use outside of school hours. Natural materials would also be used for the school building wherever possible.

The impact the proposal would have on green space would be a consideration as part of the planning process

If the proposal were to go ahead, suitable tree species and vegetation to enhance the site would be identified through extensive ecology surveys. The design team would also work closely with the school to ensure nature-based skills are developed through tailored outdoor provision. Schools delivered within Band A of the 21st Century Schools have also previously created nature areas with ponds, bug hotels, and planting as part of their outdoor learning spaces.

All options within the site would be considered and subject to a planning application. The planning approval would also be subject to sustainable drainage requirements which involves extensive designs for surface water management; i.e. water flow rates must meet specific requirements and be achieved through natural solutions like swales and raingardens.

Traffic

Traffic and transport implications would be considered as part of the Transport Assessment that would be required in order to achieve planning consent for the building works should this proposal be implemented. A full transport assessment would be undertaken as part of the design process for the new school building. This would assess the impact on the local infrastructure and ensure compliance with current legislation on accessibility for all emergency services. The transport assessment would be used as part of the design process to mitigate against any negative impacts identified.

The transport assessment would also determine the requirement for on-site drop-off and pick-up facilities to accommodate school transport arrangements. It would also be used to inform the required number of car parking spaces to accommodate staff.

As the purchase of the site is dependent on the Council obtaining planning permission, an Outline Planning Application will be submitted. The planning process includes a statutory consultation with local residents. Firstly, the Pre-Application Consultation (PAC) allows residents to provide feedback on the proposed design, as well as the transport assessment, to the contractor. The PAC was launched on 4 January 2021. Final designs would then be subject to the formal planning process. Local residents would be notified of the planning application and would be able to submit feedback that would be considered by the Council's Planning Committee.

ALN pupils are eligible for free transport if they are assessed as having severe and/or complex difficulties and are attending a special school or specialist resource base as directed by the Complex Needs Team or a class in a mainstream school which is 2 miles or further (primary aged pupils) and 3 miles or further (secondary aged pupils) from the parental home address as measured by the shortest available walking route.

School transport is currently provided to 229 pupils at YYD. In total, there are 45 vehicles serving the existing site which can be broken down as follows:

- 5 vehicles provide transport for more than 10 pupils;
- 5 vehicles provide transport for between 6 and 10 pupils; and
- 35 vehicles provide transport for 5 pupils or less.

If the proposal were to progress, active travel would be an important consideration within the site design to support the realisation of the Active Travel (Wales) Act 2013. As part of the soft landings provision, the 21st Century Schools team and contractors would work with the school to develop an updated travel plan which would support measures to increase active travel to school.

1.2 Respondents disagreed with the proposed new site being close to existing provision. The new school should be located in the Central or Western Vale.

Council's response to the concerns raised:

Some responses have suggested that the YYD expansion should be delivered in the Western Vale to reduce transport or to more easily cater for pupils living within the Western or Central Vale.

One of the sites suggested within the Western Vale is the new housing development in Cowbridge, known as Darren Farm or Clare Gardens. This site would not be suitable as it has already been allocated to meet local demand for primary places (subject to a separate consultation process).

In order to reduce the replication of specialist areas, and deliver the project within the allocated budget, it is proposed that the new building will mainly cater for primary aged pupils and the existing YYD building will primarily cater for secondary aged pupils. Therefore, constructing the building in the Western Vale would not reduce transport as the Council would not be able to establish separate catchment areas.

It is also worth noting that approximately 72% of pupils currently transported to YYD reside within Penarth, Llandough, Sully, Dinas Powys and Barry.

Respondents also suggested the location should be in Barry either on the Cardiff and Vale College site (five mile lane) or as part of the Centre for Learning and Wellbeing on the Court Road Depot site. There would neither be the space nor the resources within the proposed Centre for Learning and Wellbeing to cater for the needs of Ysgol Y Deri pupils. The site would not be suitable to accommodate an additional 150 pupils. The Cardiff and Vale College site on the five mile lane was considered as part of the review of sites but was ruled out as the buildable area was not large enough to accommodate the proposed expansion.

The Council worked closely with the leadership of YYD throughout the development of the proposal. From a management perspective, it was considered essential that the new building was constructed within close proximity to the existing site. This is to facilitate the movement of staff working across both sites and to ensure effective leadership.

Due to the specialist nature of the provision, YYD has a high staff to pupil ratio. If the new building was constructed in the Central or Western Vale, this would likely negatively impact on transport due to an increase in staff transport between sites. This would also have implications for the effective management of the provision.

1.3 Respondent felt that the new site would be too far from the current provision. Two alternatives were suggested; either expanding into St Cyres by changing it into a sixth-form only college or expanding into Ysgol Pen Y Garth by moving it to the new housing development in Cosmeston.

Council's response to the concerns raised:

The Council considered a wide range of sites to deliver the proposed expansion for YYD. As outlined above, close proximity to the existing building was a key consideration. The proposed site was the closest site that was available to the Council that met the requirements for the provision and was available within the required timescales.

With regards to expanding Ysgol Y Deri into the area which currently accommodates St Cyres Comprehensive School, the Council does not consider this a reasonable approach. St Cyres Comprehensive School provides English medium secondary places to meet demand from Penarth, Llandough, Sully and Dinas Powys. There are currently 1,234 pupils on roll against a capacity of 1,285 pupils. If Key Stage 3 and 4 provision was removed from St Cyres Comprehensive School, the Council would be required to relocate these pupils to alternative provision. There is no school within the Vale of Glamorgan with sufficient surplus capacity to meet this demand. This approach would also prevent the Council from being able to meet its statutory duty to provide sufficient school places for English medium secondary education as there would be a shortfall in the number of places available against the catchment population.

With regards to the relocation of Ysgol Pen Y Garth, the Council does also not consider this to be a feasible option. As part of the proposed housing development in Cosmeston, the Council is due to receive a 2-hectare site which could accommodate a 420-place primary school. The purpose of the allocation is to increase capacity to meet the additional demand emanating from the housing development. Ysgol Pen Y Garth already has a capacity of 420 primary places which would result in no additional places being available to meet increased demand.

It is also worth noting that the proposed housing development has not been granted planning approval at this point in time and the S106 agreement has not been signed. The timescales attached to the transfer of the proposed site are currently unknown which would considerably delay the expansion of YYD. As outlined in the consultation document, demand for special education has already surpassed the capacity of YYD and the opportunities to increase capacity will be exhausted by September 2023.

Issue 2 - Query whether there would be appropriate resources available to implement the proposal and how transition would limit disruption to staff and pupils

Council's response to the concerns raised:

Financial resources

The expansion of YYD has been included as part of Band B of the Council's 21st Century Schools Programme. £11m has been allocated to this scheme which is part funded by Welsh Government. As a special school, 75% of the funding would be provided by Welsh Government (£8.25m) and 25% would be funded by the Council. The Council's contribution of £2.75m is included within the capital programme.

A capital bid has been submitted to include £700k within the 2021/22 capital programme to implement a temporary modular building on the existing YYD site to meet anticipated demand prior to the opening of the new school building.

The new build would be completed for September 2023.

Additional revenue funding would be required to fund the provision.

A cost pressure has been submitted as part of the revenue budget setting process for the 2021/22 financial year as a revenue increase will be required to accommodate the additional pupils at YYD. The revenue cost pressure submitted for 2021/22 is £729,000, with a further £521,000 requested in the 2022/23 financial year to meet the costs of the estimated growth in pupil numbers. This would be to accommodate a net increase of 26 pupils in 2021/22 and a further net increase of 18 pupils in 2022/23.

The delegated revenue budget for YYD would increase in line with the number of pupils on roll.

If the proposal was not to go ahead, the Council would be reliant on costly out of county placements in order to meet the needs of learners. All neighbouring local authorities are experiencing similar pressures on capacity which has resulted in a shortage of out of county placements.

Human resources and learner needs

Should the proposal be approved the Council would establish a project team to support the project. The project team would include the Head of Additional Learning Needs and Wellbeing, representatives from the Council's 21st Century Schools Team, and representatives from YYD.

The project team would be responsible for developing a project plan to deliver the proposal by September 2023, when the new YYD building would be completed. The project plan would need to consider:

- Development of the staffing structure;
- The split of pupils across the sites;
- Managing admissions; and
- Identifying the appropriate resources to deliver the provision.

The Council would fully support the staff and governing body to ensure the

successful implementation of the proposal. This approach was successfully adopted to deliver mixed-sex secondary education in Barry as part of the Transforming Secondary Education in Barry project.

The governing body of YYD would be responsible for developing a staffing structure to support the split site provision. The proposal would lead to an increase in employment opportunities at the school as additional staff would need to be recruited as the number of pupils on roll increases. Any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

The proposed new building and site would allow for further development of a curriculum filled with rich experiences that challenges children, raises attainment and supports pupils' wellbeing.

The new YYD school building would include suitably sized classrooms, a main hall for sport and dining, offices for senior staff and administration, a staffroom, therapy rooms and break out areas for pupil interventions. The school would be fenced to safeguard pupils with intercom access for visitors. Within the grounds, there would be external play areas, a multi-use games area (MUGA) and habitat areas to enhance pupil wellbeing.

The proposed site for the new school building is in close proximity to Cosmeston Country Park and the Medieval Village. The park would provide a great resource for staff and pupils to enhance wellbeing and attitudes to learning. The proposed site is also close to the sea.

There are potential educational benefits for pupils during the construction phase as appointed contractors would hold site visits and workshops with pupils. For example, on a previous project an English lesson was held on site and pupils wrote poems about their experiences. Workshops suitable for relevant key stages would be held with pupils. Additionally, the project would participate in the construction ambassadors programme, which enables pupils to gain confidence and skills by learning more about construction and updating their peers on site progress.

For more examples, please visit our community benefits webpage:

https://www.valeofglamorgan.gov.uk/en/living/schools/schools_in_the_vale/21st-Century-Schools/21st-Century-Schools-Community-Benefits.aspx

Issue 3 – Estyn queried what the transportation cost implications would be if the proposal were to progress.

ALN pupils are eligible for free transport if they are assessed as having severe and/or complex difficulties and are attending a special school or specialist resource base as directed by the Complex Needs Team or a class in a mainstream school which is 2 miles or further (primary aged pupils) and 3 miles or further (secondary aged pupils) from the parental home address as measured by the shortest available walking route.

School transport is currently provided to 229 pupils at YYD. In total, there are 45 vehicles serving the existing site which can be broken down as follows:

- 5 vehicles provide transport for more than 10 pupils;

- 5 vehicles provide transport for between 6 and 10 pupils; and
- 35 vehicles provide transport for 5 pupils or less.

The Council is projected to spend £1,534,049 in 2020/21 on ALN school transport. It is not possible to project the additional costs at this stage as it will be dependent on the needs and locations of the individual pupils. Transport costs would incrementally increase as the number of pupils on roll increases year on year. As part of the revenue budget setting process cost pressures would be submitted to meet this increased cost. If the proposal was not to go ahead, the Council would be reliant upon costly out of county placements, which would include transportation.

Issue 4 - The Governors queried whether the proposal is to increase the capacity of YYD to 355 (i.e. 205 + 150) or is it to increase the current roll by 150 additional places?

The preferred approach is to construct a new school building on a separate site which would form part of YYD. The additional school building would primarily accommodate primary aged pupils. However, the school would operate a needs-based approach to determine the split of pupils across the two sites. This would reduce the need to duplicate all facilities currently available at YYD.

The new YYD school building would be of suitable size to accommodate 150 pupils. The building design would also provide sufficient space for staff, including health and support staff, necessary to best meet the needs of pupils.

The building would include suitably sized classrooms, a main hall for sport and dining, offices for senior staff and administration, a staffroom, therapy rooms and break out areas for pupil interventions. The school would be fenced to safeguard pupils with intercom access for visitors. Within the grounds, there would be external play areas, a multi-use games area (MUGA) and habitat areas to enhance pupil wellbeing.

The proposed site would also provide sufficient space for a future expansion if required. This would be factored into the overall site layout.

The proposal would result in a new capacity of 355 pupils. However, the existing building has been adapted to accommodate a larger number of pupils to meet increased demand over the years. The proposed new building would reduce the number of pupils currently attending the current YYD building to below the 205 capacity. However, future capacity would need to be considered in light of the needs of the pupils on roll and any adaptations made to accommodate a larger number of pupils.

The Council is proposing a holistic approach in meeting future demand through the provision of additional capacity at YYD, as well as additional specialist resource bases in mainstream schools throughout the Vale to support learners who are better served accessing mainstream education with increased support. This approach would ensure the Council is able to meet demand while providing a range of provision to best meet the individual needs of our learners.

Issue 5 – Respondent disagreed with the timing of the proposal as a decision on the housing development has not been made.

As outlined in the consultation document, demand for special education has already surpassed the capacity of YYD. The Council considered a wide range of sites to deliver the proposed expansion for YYD. Close proximity to the existing building was a key consideration. The proposed site was the closest site that was available to the Council that met the requirements for the provision and was available within the required timescales.

The expansion of YYD is required regardless of whether the housing development goes ahead.

The development site at Upper Cosmeston Farm is included as an allocation within the adopted LDP and a residential development on this land is considered appropriate in principle which gives an element of certainty that the land will be developed during the LDP period. This is because part of the process to allocate a site within an LDP includes considering whether it is deliverable and financially viable to come forward during the LDP period, consequently due to the sites allocation within the Plan it has passed these tests. Furthermore, a planning application for outline consent has been submitted to the Local Planning Authority and is currently under consideration (2020/01170/OUT refers). This further demonstrates that the site is viable with a developer committing resources in pursuing a planning consent on the site increasing the certainty that the housing allocation will come forward during the plan period.

Issue 6 – Respondents disagreed with having autistic pupils within the same provision as pupils with physical and mental disabilities.

A few respondents felt that autistic pupils have their own needs and require their own teaching assistants. Respondents determined that the proposal could not have been made with the input of educational specialists as other local authorities are separating autism provision and therefore any overarching provision must be due to bureaucratic not educational needs.

YYD opened in 2014 following the amalgamation of Ysgol Erw'r Delyn, Ysgol Maes Dyfan and Ashgrove School. Pupils who attend YYD have a wide range of needs, which include autism, severe learning difficulties and profound and multiple learning difficulties. The amalgamation of the three schools has been highly successful, pupils and staff have benefitted from the sharing of expertise across disciplines. All pupils are assessed as individuals and access provision which is based on their individual needs, this enables them to flourish whatever their difficulties.

YYD is widely considered successful by school stakeholders and Estyn judged the school to be "Good" or "Excellent" across all measures in their most recent inspection.

The Council worked closely with the leadership of YYD throughout the development of the proposal. It is also worth noting that in their responses to the consultation, the governing body and teachers of YYD thoroughly support the proposal.

Issue 7 – Respondent disagrees with C11 of the Community Impact Assessment.

The respondent felt that C11 "Children living in the catchment are attending their local school" should not have a score of +3 as pupils will need transport.

The score is judged on whether there are sufficient pupil places within the catchment. As the catchment for YYD is the whole of the Vale and this proposal would increase the number of pupil places and reduce reliance on costly out-of-county provision, the score is still judged to be appropriate.

Transport is covered under C18 where it is acknowledged that the proposal would result in increased transportation.

Annex B - A summary of comments received in favour of the proposal.

This section provides the key themes raised during the formal consultation period by those in favour of the proposal. The following presents an overview of responses and are not exhaustive or intended to be verbatim. All written responses have been made available to Cabinet Members.

Comment 1

Agree with increasing specialist support available for ALN pupils.

Respondents agreed specialist educational provision needs to be increased within the Vale. Respondents highlighted YYD is currently operating well overcapacity.

The expansion of YYD will enable more pupils to benefit from the excellent provision at the school. Respondents also noted that it would reduce pressure upon existing facilities within YYD, enabling specialist rooms to be used as intended instead of as temporary classrooms.

Overall, respondents welcomed this kind of provision.

Comment 2

YYD provides high quality educational provision and caring support for some of the most vulnerable pupils. YYD is the appropriate body to manage increased provision.

Respondents noted the excellent provision at YYD and welcomed the expansion of the school under the current management. Respondents championed the commitment of staff and senior leadership in supporting pupils to achieve the best possible educational outcomes and in preparing pupils for later life through essential skills and work experience opportunities.

Comment 3

The choice of site is appropriate.

Respondents note that the close proximity to the existing YYD provision would mean resources and staff, including health and support staff, are able to be shared across both sites. This is imperative to maintain the effective day to day running of the school.

The site would also provide an idyllic and safe setting for vulnerable pupils. The site location is also close to Cosmeston giving the pupils the opportunity for excellent outdoor learning, essential exercise and well-being visits.

Comment 4

The proposal would have a positive impact upon the local community.

Respondents felt that YYD is an important part of the local community, including by

providing local facilities, and so view its expansion as a positive. Respondents also noted that this proposal would have a positive impact upon local employment.

Annex C - Frequently asked questions.

This section provides updated frequently asked questions in relation to the proposal.

What is the intended timescale of development?

It is intended that the proposal would be implemented by September 2023. Construction of the new school would commence by January 2022 and be completed by August 2023.

How would potential transport implications be considered as part of this proposal?

The Council's 21st Century Schools Team would be responsible for the build process. A contractor would be appointed and a full transport assessment would be undertaken as part of the design process. Any implications identified would be factored into the design of the new building. The contractor would submit a full planning application for the new building.

Who would manage the construction of the new school building?

The Council's 21st Century Schools Team would be responsible for managing the build process. A contractor would be appointed using the SEWSCAP framework. SEWSCAP is a construction framework used by 16 local authorities and provides pre-qualified and suitably experienced Contractors to deliver the 21st Century Schools Programme, and other public buildings, relating to both new build and refurbishment projects over £1.5 million. A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school.

How would we be involved throughout the design process?

A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school. Any feedback or thoughts can be sent to the 21st Century Schools Team on:

21stcenturyschools@valeofglamorgan.gov.uk

Annex D – Response from Estyn

Estyn response to the proposal to expand provision at Ysgol Y Deri Introduction

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore, as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer and other additional information such as data from Welsh Government and the views of the Regional Consortia which deliver school improvement services to the schools within the proposal.

Summary/ Conclusion

This is a proposal by the Vale of Glamorgan council. The proposal is to:

- Increase the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and
- construct a new building on the preferred site located in Cosmeston, Penarth for September 2023, which would operate as an additional site under the management of Ysgol Y Deri.

It is Estyn's view that this proposal is unlikely to have a negative impact on the standard of education provision in the area.

Description and benefits

The council presents a clear rationale for the proposal. It is to meet increasing demand for special education in the Vale of Glamorgan. Ysgol Y Deri was constructed to accommodate 205 pupils but currently has 262 pupils on roll. Current projections indicate that more pupils will require a place at the school over the next few years and this trend is likely to continue for the foreseeable future.

The council has appropriately listed the expected benefits of implementing the proposal. These include the ability meet the projected demand for special school places. Also the advantages of a new school building that can include the provision of an innovative and creative learning environment. In addition, it cites the advantage of the council not relying on costly out of council placements although no indication of current costs is provided. The council lists only one disadvantage and

that is the disruption to staff and resources during the implementation phase of the proposal.

The council has provided a table that presents two risks and the mitigation proposed to address these risks. The risks centre on needing additional capacity beyond the proposed increase and issues around traffic management at the site. The proposed mitigation to address these risks seem to be reasonable and valid.

The council has presented three alternatives to the proposal that they have considered. These alternatives are to expand the school on its current site, expand the school on a different site or to establish a new special school with separate governance arrangements. The council's reasons for discounting these alternatives seem suitable.

The proposed site is three miles away from the school. The council has outlined its policy of providing free transport to primary and secondary aged pupils as well as those with severe or complex needs and attending a special school. In addition, the council states that a full transport assessment would be undertaken as part of the design process for the new school building. It considers that this would be used to mitigate against any negative impacts identified. This appears to be a reasonable approach. However, there is no indication of the increased transport costs to the council in implementing this proposal.

The council rightly points out that there are no direct implications for other primary and secondary schools in the Vale of Glamorgan. Ysgol Y Deri is the only special school in the authority and all admissions to the school are based on an assessment of the needs of individual pupils. It is expected that the proposal will meet the expected demand for places over the next few years.

The council has commented on its Welsh in Education Strategic Plan (WESP) and reports that teaching and learning will continue predominately delivered through the medium of English and that Welsh medium provision would be made available when required. This would be delivered by bilingual Learning Support Assistants employed by Ysgol Y Deri as is currently the case.

The proposer has included a suitable community impact assessment as part of the proposal. It assesses the impact on the local community against eight key measures. Its findings are that the proposal would likely have a positive impact on 6 of the 8 measures assessed and a negative impact 2 of these measures. The negative impact is likely to be on the aspects that relate to the local infrastructure and transport arrangements. The council has outlined how they will address this negative impact and concludes that overall, the proposal would likely have a positive impact on the local community.

Educational aspects of the proposal

The council has considered suitably the impact of the proposal on the quality of outcomes, provision and leadership and management. In order to do this, the council presented a separate document in which it collated a range of information about the school. This information included the most recent Estyn inspection report, the national categorisation of the school report, and internal assessments of the buildings condition and suitability. Amongst the benefits outlined, the council

suggests improved outdoor learning experiences as the proposed site is in close proximity to Cosmeston Country Park and the Medieval Village. In addition, the council suggests potential educational benefits during the construction phase as it would participate in the construction ambassadors' programme, which enables pupils to gain confidence and skills by learning more about construction and updating their peers on site progress.

Leadership and management was judged to be excellent in the school's last Estyn inspection in 2016 and the council intends for this leadership to continue following the development of the new site.

The proposal intends to increase the capacity of Ysgol Y Deri, the council's only special school which caters for pupils with special educational needs. This is in order to meet projected demand for special education. This proposal expects to provide an additional 150 places to help meet future demand.

Annex E - Minutes of the Learning and Culture Scrutiny Committee on the proposal

LEARNING AND CULTURE SCRUTINY COMMITTEE

The recording of the Learning and Culture Scrutiny Committee meeting (10th December 2020) is available here:

<https://www.youtube.com/watch?v=1zGCESVsWYQ&feature=youtu.be>

[Minutes of the Learning and Culture Scrutiny Committee meeting held on 10th December, 2020.](#)

268 PROPOSAL TO INCREASE THE CAPACITY OF YSGOL Y DERI TO MEET FUTURE DEMAND FOR SPECIAL EDUCATION IN THE VALE OF GLAMORGAN (REF) -

Cabinet, on 2nd November, 2020 had authorised the Director of Learning and Skills to undertake a consultation on the proposal to meet future demand for special education in the Vale of Glamorgan by:

- Increasing the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and
- Constructing a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.

Cabinet had also resolved that the matter be referred to Committee for consideration as part of the proposed consultation exercise.

The 21st Century Schools Project Manager presented the report and advised that the proposal would result in an additional 150 places at Ysgol Y Deri to meet increased demand for special education in the Vale of Glamorgan, and that a new building which would operate under the management of Ysgol y Deri would be constructed on a new school site in Cosmeston, Penarth to accommodate the increased capacity.

The Officer also advised that while the proposal saw a new school building being ready by September 2023, the intakes of 2021 and 2022 would see a net increase of 44 pupils at the school, and the report therefore outlined the temporary measures which would be required to ensure Ysgol Y Deri was able to meet projected demand during this intervening time. The consultation, which was being conducted through a consultation document and in accordance with the School Organisation Code 2018, had been launched on November 6th and was due to close on December 20th. The Officer advised that of the 96 responses received to the consultation so far, 86 had been in favour of the proposal, one had offered no opinion on the proposal and eight had not been in favour. The main concerns raised had related to the impact of traffic and the location of the proposed new building,

and the Officer stated that the Council would respond to these concerns as part of the consultation report, however it should be noted that the purpose of this consultation was to receive feedback on the educational impact of the proposal, and some of the concerns raised would need to be addressed via other statutory processes.

Following the presentation of the report, in response to a query from Councillor S.D. Perkes Officers advised they did not have to hand the exact number of Primary school aged pupils at Ysgol y Deri, however confirmed they would forward this information to Councillors following the meeting. The Head of Additional Learning Needs and Well-being acknowledged that within the growing Additional Learning Needs (ALN) sector, early years was where there was most pressure. Councillor N.C. Thomas noted that as the identification of pupils with ALN was improving, the need for such provision would continue to grow, and as such he welcomed the proposal.

With permission to speak, the Cabinet Member for Education and Regeneration thanked Members for their comments and wished to praise the work that had been carried out by Officers in ensuring that every child in the Vale was able to be the best that they could be. The Cabinet Member highlighted that it was of concern that Special Educational Needs (SEN) provision would be so significantly oversubscribed within two years, and she was therefore delighted that the report had come before Committee and had been so well supported. The Head of Additional Learning Needs and Well-being echoed the Cabinet Member's appreciation, noting that while 44 additional pupils in a mainstream setting would not seem significant, it was not an increase that could be managed by Ysgol y Deri in its current form.

The Chairman expressed that the satellite school was badly needed and he was happy with the proposal, however he referred to the most recent meeting of the Full Council, wherein concerns had been raised regarding funding for the proposed new school in relation to funding allocated to Sully Primary School, and while he acknowledged that the current discussion related strictly to the educational impact of the proposal, he did appreciate the concerns raised and hoped there was a way in which the Directorate could move forward with the proposal while ensuring that Sully Primary was also well looked after. The Cabinet Member for Education and Regeneration, with permission to speak, wished to clarify that there were plans and proposals for development and investment in Sully Primary School, and wanted to reassure Members that they were not being asked to make a choice regarding whether one school would receive funding or support over the other.

With the proposal having been fully considered it was subsequently

RECOMMENDED - T H A T the Scrutiny Committee endorse the resolutions as contained in the reference from Cabinet dated 2nd November (Minute No. C358).

Reason for recommendation

To ensure that the Learning and Culture Scrutiny Committee was consulted on the proposal as part of the proposed consultation exercise.

Annex F – Response from the governing body of Ysgol Y Deri

14 December 2020

Consultation on the proposal to transform special education in the Vale by:



- Increasing the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and
- Constructing a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.

Your Full Name: *B T Exell on behalf of the Governing Body*

Postcode: CF64 2TP

Please tell us whether you are responding as
Governor*

*Please confirm which school/s you are affiliated with:
Ysgol Y Deri

1. Do you support the proposal to transform specialist education by:

- Increasing the capacity of Ysgol Y Deri to accommodate an additional 150 pupils: and
- Constructing a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.

(Please indicate your response below)

Yes

No

Please explain why:

Ysgol y Deri was originally conceived and built to accommodate 205 pupils of all ages. Such as been the demand for specialist educational provision that the school's roll is currently 275 with projections indicating the need for approximately 50 additional places by the time the proposed school is completed. It is probable that this demand will continue into the foreseeable future. It was recognised that space and facilities were needed to cater for these pupils, to accommodate this demand, Ysgol Ty Deri was repurposed to provide additional teaching facilities. There is now no more flexibility within the school site. The Governors welcome the proposal to provide temporary modular provision in the short term to accommodate the projected pupil numbers until the new school is completed.

The Governors would welcome clarification as to whether the proposal is to increase the capacity of YYD to 355 i.e. 205 + 150 or is it to increase the current roll by 150 additional places.

The proposed site at Cosmeston has a significant advantage in its proximity to YYD. This will allow the use of the specialist facilities that will not be available in the new school to be within an easy distance. Similarly, it will allow the interchange of staff where necessary without excessive travel in terms of distance and time.

2. If you would like to suggest any changes or alternatives to the proposals, please detail these below.

Given the increasing demand for specialist educational provision, witnessed across the Province, it is important that the proposed school not only caters for the 150 pupils, but that consideration is given to the projections held within the Additional Learning Needs sector of the Learning and Skill Directorate. The proposed building not only needs to cater for the 150 pupils but that there is a degree of flexibility within the site should demand, one day, exceed provision.

3. Any other comments?

It is acknowledged that standards in the school are very good and that most pupils make good or excellent progress relative to their low starting points and additional learning needs. To achieve this YYD has invested significant resources in developing the excellent teaching and learning teams. While a number of staff will transfer to the new school unfortunately, there is “no magic tree” from which the additional staff will appear. It must be recognised that in order to staff the new provision it will be necessary to appoint staff prior to its opening. This will allow the new staff to mirror the ethos and quality currently seen within YYD.

Although the building of YYD was to an exacting standard lessons have been learned during the last four years which now could be improved within the new site. It is important that this knowledge is incorporated into the new building to ensure the wellbeing of the pupils and staff. Similarly given the changes that are proposed to the curriculum, the learning environment must be designed to incorporate the improvements necessary to provide a 21st century learning environment. To achieve this provision must be made to second management so that they are able to devote the necessary time to the Project

The success of YYD is not down solely to the teaching and learning and administrative staff but also to the support which is given by the Health Board through the nursing and therapy teams. It is important that there is close collaboration with the Health Board at an Authority level to ensure that appropriate resources are available to the new school.

The Governors recognise that continued expansion of the scale of the provision which it manages raises challenges and risks, and they would hope that these do not impact adversely on the quality of education currently received by pupils. Similarly, there must be no dilution of the quality of leadership currently enjoyed at YYD. Given the highly complex nature of YYD, an enormous level of responsibility is being placed on the leadership, staff & governing body to manage. This needs detailed consideration. The Governing Body also expects the Authority to recognise and endorse an early expansion of the leadership team to take this expansion forward. It does not wish to be in the position experienced five years ago where the leadership team were expected to manage three schools and build a fourth. Today

there will be the pressure to manage YYD, while implementing the proposal for Y Draith, Gladstone and the Support Service while overseeing the build and resource of the new Primary School.

Finally, the Governing Body recognises the ever-increasing budgetary pressure created by Additional Learning Needs. It is hoped that both the capital and revenue costs have been appropriately calculated.

A handwritten signature in black ink, reading "B.T. Exell", written over a horizontal line.

*B T Exell MBE
Chair of Governors*

Annex G – Response from the Penarth Town Council



The proposed site for the Ysgol y Deri is adjacent to the proposed housing development at Upper Cosmeston Farm. An Outline application for planning consent has recently been submitted for what is to achieve net zero operational energy standards and will adopt and drive the principles of the Wellbeing and Future Generations Act, and 'Creating Sustainable Places', taking into account all elements of 'Good Design and the principles of 'Route to Good Design as set out in Technical Advice Note 12 (2016).

We would expect the proposed Ysgol Y Deri extension to achieve the same standard of good design.

The Town Council support the educational provision proposed and our following comments relate to the precise location chosen. There are no doubt some educational synergies, as are incorporated on the St Cyres site where there is no interior barrier between the two schools.

There are also some impacts. It is likely that pupils will arrive by car or special transport from the wider catchment with consequent congestion and traffic management issues. This will involve the new access off Lavernock Rd to the LDP allocation to the north of Upper Cosmeston Farm, (the non-specialist School site,) and the existing access, Fort Road. Access in the short term at least will be off the existing Fort Road.

These issues will need to be considered in an Assessment included with the planning application for the proposed Ysgol Y Deri School. The immediate active travel by foot or cycle along the Lavernock Rd, which is an active travel route, will need improving and possibly will require some separation between cycles and pedestrians.