

## **The Vale of Glamorgan Council**

### **Cabinet Meeting: 22 January, 2018**

#### **Report of the Cabinet Member for Learning and Culture**

#### **Proposed reconfiguration of Primary Provision in the Western Vale**

##### **Purpose of the Report**

1. To seek Cabinet approval to consult stakeholders on a proposal to reconfigure primary provision in the Western Vale through the creation of a new 210 place primary school, with a 48 part time place nursery class at the land north of the railway line, Rhoose, and the migration of staff and pupils from Llancafán Primary School into the new site.

##### **Recommendations**

1. Cabinet authorises the Director of Learning and Skills, in consultation with the Cabinet Member for Learning and Culture, to undertake consultation from 5 March 2018 for a period of seven weeks on the proposal to establish a 210 place primary school, with a 48 part time place nursery class at Rhoose Point, and the migration of Llancafán Primary School into the new site.
2. Cabinet notes that implementation of the proposal would be subject to the relevant statutory processes and notes that investment would be subject to the availability of capital funding from Welsh Government.
3. Cabinet refers this report to the Learning and Culture Scrutiny Committee for their consideration as part of the proposed consultation process.

##### **Reasons for the Recommendations**

1. To comply with the requirements of the Schools Standards and Organisation (Wales) Act 2013.
2. To ensure Cabinet is aware of the views and comments of those consulted when deciding whether or not to publish a statutory notice in due course and of the scheme's dependency on Welsh Government match funding.
3. To ensure that the Learning and Culture Scrutiny Committee is consulted on the proposal.

## Background

2. Llancafarn Primary School comprises the original Victorian school building containing two classrooms. The building has solid stone walls and a pitched slate covered roof. There are two separate demountable classroom blocks, one single and one double classroom, which are in a good condition. In addition there is a block built in 2000 and extended in 2006 providing the hall, kitchens, a small classroom and staff accommodation. The school is on a small site (slightly offset by the use of the adjacent tennis club courts) with difficult and congested access through the village and lanes leading to Llancafarn. The four separate buildings and small sloping site do not meet 21st Century School design guidance standards for primary schools which have been used for all new builds completed through the 21st Century Schools programme. These schools comprise a fully accessible one or two storey building providing all the required educational functions within a single building set in grounds meeting current outdoor curriculum needs.
3. Llancafarn Primary School has a pupil capacity of 126. The school is currently operating with a surplus capacity of 19 places (15%). This capacity is set to increase to 28 places (22%) as demonstrated by the pupil projections below. The Vale of Glamorgan has made a commitment to Welsh Government to reduce the number of surplus places in schools. Within the primary sector, this equates to an agreed target of 10%.

School	Pupil Projections					
	School Capacity	PLASC 2019	PLASC 2020	PLASC 2021	PLASC 2022	PLASC 2023
Llancafarn Primary School	126	105	101	97	94	98

4. Llancafarn Primary School incurs a high revenue cost per child at £4,490 per child compared to the Vale average of £3,697 per child. Llancafarn is the 5th highest primary school in terms of revenue cost per child.
5. The majority of pupils attending Llancafarn Primary School reside outside the catchment area.
6. Llancafarn Primary School has a capacity of 126 pupils. There are 107 children currently on roll, of which 32 (30%) live in the school catchment area. The remaining 75 children's parents (70%) live outside the school catchment area and have exercised a preference for Llancafarn of which 36 (34%) live in the Rhws primary catchment area.
7. The reception intakes for Llancafarn Primary School compared to the number of children actually living in the school catchment areas are tabled below:



School	Reception intakes					
	Admission Number	Sept 2013	Sept 2014	Sept 2015	Sept 2016	Sept 2017
Llancarfan Primary School	18	16	17	12	10	17
No of reception applications from parents living in the school catchment area	0	2	9	5	3	2

8. Over the last three years, an average of 4 children have been born in the Llancarfan Primary School catchment area each year compared to 18 places available at the reception intake.
9. The Council's adopted Local Development Plan (LDP) (2011-2026) ([Appendix A](#)) Policy MG1 allocated a total of 787 new dwellings in Rhoose over the LDP period. The allocations comprise 87 dwellings at land south of the Railway Line, and 700 new dwellings at land north of the Railway Line. The allocation to the south of the Railway Line has been completed and is now fully occupied with children in the school system (planning reference: 2012/00937/FUL). The allocation to the land north of the Railway Line has come forward in two parts:
  - land to the north-west of the Railway Line; and
  - land to the north-east of the Railway Line.
10. The land to the north-west of the Railway Line has outline permission for up to 350 dwellings (planning reference: 2014/00550/OUT) and reserved matters approval for 347 dwellings (2015/01070/RES and 2015/01072/RES). This part of the allocation is currently under construction by Taylor Wimpey.
11. The land to the north-east of Railway Line formerly had outline permission and reserved matters approval (planning references: 2010/00686/EAO, 2014/00639/RES and 2014/00344/RES) for 350 dwellings, but the reserved matters approvals have now lapsed.

Phase	Name	Anticipated Start/Finish	Dwellings	Nursery	Primary	Secondary	Total
1	South of the Railway Line	Completed.	87	9	25(20 EM, 3 WM, 1 Den)	21	55
2	North-West of the Railway Line	Commenced June 2017 (Taylor Wimpey)	350	35	97 (81 EM,10 WM,6 DEN)	87	219
3	North-East of the Railway Line	Reserved matters approved lapsed in April 2017 (Persimmon Homes / Bellaway Homes)	350	35	97 (81 EM,10 WM,6 DEN)	87	219
<b>Total</b>			<b>787</b>	<b>79</b>	<b>219</b>	<b>195</b>	<b>493</b>
Pupil Yield Allowance: 84% enter English medium 10% enter Welsh medium 6% enter Denominational		EM (English Medium) WM (Welsh Medium) DEN (Denominational)					

12. In accordance with the Section 106 Agreement dated 14th May 2015 associated with the planning permission, the developers of land to the north-west of the Railway Line, Taylor Wimpey, are required to transfer a one-hectare site to the Council, for the provision of a primary school. A one hectare site can facilitate a 210 place school. In accordance with aforementioned Section 106 Agreement, the Council is also covenanted within 5 years of the date of the transfer to have secured planning permission for a primary school on the school site and thereafter completed the construction of the school within 5 years of obtaining planning permission.
13. It is anticipated that the development completed at land south of the Railway Line, and the developments at land north-west and north-east of the Railway Line will increase demand in the area by an estimated 70 places for nursery age children, 194 places for primary age children of which 162 children are likely to require English medium provision and 174 places for secondary age children.
14. The majority of children attending Rhws Primary School reside within the Rhoose area.
15. Pupil projections to 2023 for Rhws Primary, including confirmed and unconfirmed housing developments, are tabled below.
- 16.

<b>Pupil projections including north-west housing development in Rhws</b>						
<b>School</b>	<b>School Capacity</b>	<b>PLASC 2019</b>	<b>PLASC 2020</b>	<b>PLASC 2021</b>	<b>PLASC 2022</b>	<b>PLASC 2023</b>
Rhws Primary School	375	376	373	394	417	412

<b>Pupil projections including north-west and north-east housing development in Rhws</b>						
<b>School</b>	<b>School Capacity</b>	<b>PLASC 2019</b>	<b>PLASC 2020</b>	<b>PLASC 2021</b>	<b>PLASC 2022</b>	<b>PLASC 2023</b>
Rhws Primary School	375	376	373	405	451	465

17. The area is currently served by a variety of primary and secondary schools providing a range of schooling options catering for a number of community needs:

School	Medium	Status	Age	Location	Current Number on Roll (NOR)	Capacity
Rhws Primary School	English	Community School	3-11	Rhws	371	375
Ysgol Gymraeg Dewi Sant	Welsh	Community School	3-11	Llantwit Major	107	180
All Saints Church in Wales	English	Voluntary Aided	3-11	Barry	207	210
St Helens Catholic Primary School	English	Voluntary Aided	3-11	Barry	298	308
Barry Comprehensive	English	Community School	11-19	Barry	872	1423
Bryn Hafren Comprehensive	English	Community School	11-19	Barry	837	1331
Llantwit Major Comprehensive	English	Community School	11-18	Llantwit Major	902	1050
St Richard Gwyn	English	Voluntary Aided	11-16	Barry	756	813
Ysgol Gymraeg Bro Morgannwg	Welsh	Community School	3-19	Barry	847	1151

18. The catchment area schools of children attending Llancafarn and Rhws Primary Schools are as follows.

		Numbers of children attending from respective catchment area schools						
School	NOR	Llancafarn catchment	Rhws catchment	Barry catchment schools	Llantwit catchment schools	Cowbridge catchment schools	Penarth/Dinas catchment schools	Other
Llancafarn	107	32	36	15	22	1	0	1
Rhws	371	0	350	12	6	2	1	0

19. The data suggests that Rhose catchment area generates sufficient children to meet the pupil capacity of the school and who attend their local school. The same is not the case for Llancafarn Primary School. Llancafarn has a catchment population of 55 children compared to a capacity of 126 places, 23 children (42%) living in catchment attend other schools outside of the school catchment area.

### Relevant Issues and Options

20. The Council has a statutory duty to review the number and type of schools in the area and to make the best use of resources to raise standards in schools.
21. Based on the information above, it is anticipated that the increase in secondary school places can be accommodated with existing capacity available in schools. This has the added benefit of reducing overall surplus capacity in secondary education, in line with current Council strategy and Welsh Government requirements.
22. Based on current projections to include both housing developments, by 2023 there is an anticipated shortfall of 90 primary school places in the Rhose area. The north-west development commenced in June 2017 with development to the north-east less certain, however the developer has confirmed their intention to proceed. Pupil projections have assumed that the development to the north will commence in 2020. Clearly, there is a need to accommodate this demand, however a new 210 place school (which is the minimum size for a school to be efficient), would result in 10% surplus capacity, when considering the projected increase in pupils numbers from

both new developments in Rhoose, in addition to the projected pupil numbers that would migrate over from Llancarfan Primary School. Reviewing the wider needs of the Western Vale offers an opportunity to establish a new 21st century school while addressing community need and surplus capacity challenges.

23. Llancarfan Primary School is situated 3.7 miles from Rhws Primary School. The projected number on roll at Llancarfan Primary School for 2023 is 98 pupils with 28 (22%) surplus places.
24. Rhws Primary School is a grade 2 listed building. The school is part of the Victorian Schools project within the capital investment programme. An additional four-classroom block accommodating Key Stage 2 classes was built in 2009 to manage the increase in demand from the original Rhws Point development. The school site is restricted in size and potential for further development opportunities are limited, and would not be able to accommodate the total projected increase in demand for pupil places.
25. Llancarfan is a small rural school with an admission number of 18. Mixed age teaching is therefore necessary in managing classes with associated difficulties in terms of the planning and delivery of the national curriculum. An admission number of 18 with mixed age classes also make it difficult to manage statutory class size limits of 30. The school has a catchment area population of only 55 children set against a capacity of 126 places, of which only 32 attend the school. Migrating the school to larger accommodation with a new catchment with sustainable numbers would enable the school to continue its success while catering for a greater pupil population.
26. Property condition surveys have recently been carried out for all Vale schools. The inspection comprises a visual assessment of the condition of all exposed parts of the buildings to identify significant defects and items of disrepair. Llancarfan Primary School is expected to require approximately £175k to address backlog maintenance issues over the next ten years:

Maintenance Required	Cost
Stonework repairs	£30k
Renewal of fire alarm system	£20k
Dry rot remediation & damp proofing	£45k
Renew electric heaters	£30k
Toilet refurbishment	£20k
Electrical rewire	£30k

27. In order to meet future demand, ensure best use of resources and reduce overall surplus capacity in line with Welsh Government targets, it is proposed to migrate Llancarfan Primary School to a new, larger 210 place school in the Rhoose Point development. Catchment areas would be redefined to distribute the current catchment area of Llancarfan school amongst Rhws, Llanfair, St Athan and St Nicholas Primary schools, and to also realign existing catchment areas in Rhoose.
28. Migrating the school would address a number of challenges:
  - The staff and pupils at the existing Llancarfan site would benefit from a new school build at 21st century school standards.
  - Increasing amounts of surplus capacity at Llancarfan School would be addressed.

- Increasing demand for pupil places within the Rhoose area would be met.
  - Revisions to catchment areas within the Western Vale are expected to increase pupil numbers at other schools, improving future sustainability and contributing to the Council's commitment to reduce surplus capacity in its schools.
  - Small site issues associated with the school on a confined site such as the provision of outdoor sporting facilities.
  - Congested access to the school through the village and lanes would be addressed.
  - A nursery would be established supporting continuity and progression in children's learning from age 3 and would support stability of numbers for the school.
29. Llancarfan Primary School currently acts as a feeder school for Cowbridge Comprehensive. With a transfer of Llancarfan Primary School to Rhoose Point, this would no longer be the case. However, as stated in the Council's admissions criteria, when considering applications to Cowbridge Comprehensive, priority would still be given to families currently living in the catchment area for Cowbridge Comprehensive School, ensuring that migration of the feeder school would have limited impact. Applications from children living in Rhoose would continue to be prioritised for Barry and Llantwit Major Comprehensive schools.
  30. Any proposed changes to catchment boundaries would be included as part of the consultation exercise undertaken on the proposal together with the admissions consultation exercise to be undertaken in 2020 for the academic year 2021/22. Details of proposed catchment changes are included in [Appendix B](#).
  31. Children currently in attendance at Llancarfan Primary School would transfer to the new school. Future siblings entering primary schooling would be considered a high priority for admission to the new school. The Council's admission criteria will reflect this by establishing transitional arrangements for children with siblings who are affected by the change in catchment areas to ensure that if requested by parents, both siblings can attend the same school wherever possible. Those children in the catchment area who would have attended the school will attend their new catchment school subject to parental preference.
  32. Transportation is currently being provided for pupils travelling to Llancarfan from Rhoose and Cowbridge due to shortfall in places at Rhws Primary School and Y Bont Faen. Moving Llancarfan Primary School into the Rhoose Point development would result in an annual saving of £11,900 from the reduction in children requiring transportation.
  33. Realignment of catchment areas could result in additional transport costs, due to a potential transport requirement to four separate schools (Llanfair Primary School, St Athan Primary School, Rhws Primary School and St Nicholas Primary School), and whether pupils live over the 2 mile qualifying limit for free school transport.
  34. Careful planning and management of the option with the governing body of Llancarfan would be necessary to mitigate the challenges of pupils moving to the area between 2018 and 2021 and any transitional arrangement, ensuring no disadvantages to pupils moving to a new school or negative impact on the good performance of Llancarfan Primary School.
  35. The capital cost of the preferred option is estimated at £4.185M of which £1.639M is currently available through Section 106 education contributions from the development north west of the railway line and Trem Echni together with £2.0925M

from WG match funding through Band B of the 21st Century Schools Programme. The balance of £453.5k will be met from the Council's Capital Funding.

36. In order to transfer a school more than 1 mile and expand by 25% or more, there is a statutory obligation for public consultation. Anticipated timescales for this process are included in [Appendix C](#). This timescale is subject to change.

### Resource Implications (Financial and Employment)

37. It is estimated that the total capital funding required to build a new school on a green field site, including the installation of utilities services and highways provision, will be £4.185M.
38. The Council has received £349k from land south of the Railway Line, and £131k from land north-west of the Railway Line. A further £1.159M is due from the development at land north-west of the Railway Line upon the occupation of 100 dwellings which, dependent upon build rates, is anticipated by summer 2019. There will be a total of £1.639M in Section 106 contributions for educational facilities in Rhoose from these two developments, once the final instalment has been received. The balance will be met from the Council's capital funding.
39. The Council is expected to receive £2.0925M in WG Band B match funding through the 21st Century Schools Programme.
40. The Council is uncertain when the remaining 350 dwellings allocated on land north-east of the Railway Line will be constructed, but anticipate it to be before 2026. The Council secured £1,115,387 under the original outline permission (2010/00686EAO). Any new outline or full applications for this part of the allocation would be considered against the Council's adopted Supplementary Planning Guidance on Planning Obligations. This proposal would not negate the need for additional section 106 funding arising as a result of the development of the land north-east of the Railway line, as this funding would be used to enhance education for the surrounding schools as a result of the changes to the catchment area and support the additional pupil numbers entering those schools as a result of the development.
41. The estimated revenue cost of operating a new 210 place school is £725k. The revenue budget delegated for Llancafán Primary School for 2016/17 is £469k. The £256k difference will be found from within the Individual Schools' Budget generated by the additional revenue from the increase in pupil numbers from the new housing developments.
42. Timetable of s106 contributions and expiry dates follows:

Development	Instalment 1	Instalment 2	Total S106 contribution
Land south of the Railway Line	£173k expires 12/01/2020	£176k expires 07/09/2021	£349k
Land north-west of the Railway Line	£131k expires 03/11/2021	Remaining £1.159M due on the occupation of 100 dwellings estimated around 2019	£1.290M

43. The s106 contributions outlined above are based on a contribution per dwelling. If the developers decide to build fewer units, then this will affect their financial contribution. The Council has 5 years to spend s106 contributions, from the date of receipt.
44. The scheme is wholly reliant on the build rate of the developers as the release of contribution is based on an estimated home occupation schedule.
45. The staff at Llancarfan Primary School would transfer to the new school building on current terms and conditions.

### **Sustainability and Climate Change Implications**

46. The establishment of a 3 - 11 year old phase primary school with nursery unit offers a more efficient and sustainable model of delivery to improve the delivery of education for the 21st Century that meets national building standards and reduces the recurrent costs and carbon footprint of education buildings.
47. There could be additional transport implications for 2017/18 as children from the new development could be allocated a place at St Athan Primary School or an alternative school. This would be dependent on the number of school age children moving into the development requiring a local school place, as it is sometimes the case that school age children will continue to attend their current school rather than transferring to their local catchment school. However the location of the proposed new school will make it more accessible to the community and have potential to reduce congestion at both school sites in Rhoose in the long term.
48. The new buildings will meet BREEAM Excellent standards and be built to an EPC A rating.
49. A minimum of 80% of services and materials will be procured locally as part of the Welsh Government 21st Century Schools programme.

### **Legal Implications (to Include Human Rights Implications)**

50. Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2013. The Council must comply with the relevant provisions in connection with the proposal.
51. If approved, the requirements of the School Standards and Reorganisation Act 2013 and the School Organisation Code Statutory Document Number: 006/2013 will need to be complied with.
52. The Section 106 Agreement requires the developer within 12 months of the commencement of construction of the first dwelling to transfer the school site to the Council at nil cost, and the Council to accept the transfer. The developer will bear the proper and reasonable legal costs of the Council associated with the transfer of the School Site.
53. The Section 106 Agreement requires the school site shall be transferred in a seeded condition, enclosed with an appropriate boundary treatment (to be agreed by the Council), with safe highway access in place and with sub-surface drainage in place.
54. The Council has covenanted within the Section 106 Agreement that within 5 years of the date of the transfer to have secured planning permission for a primary and nursery school on the school site and thereafter completed the construction of the school within 5 years of obtaining planning permission. In the event that it is not possible for the Council following best endeavours to develop the school site for use

as a school, the Section 106 Agreement requires that the site shall be used as public open space to serve the development and maintained as such by the Council, unless otherwise agreed in writing by the Council and the Developer.

### **Crime and Disorder Implications**

55. There are no direct crime and disorder implications as a result of this report.

### **Equal Opportunities Implications (to include Welsh Language issues)**

56. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.

57. During the consultation period an Equalities Impact Assessment will be compiled which will be available to Cabinet for consideration prior to a decision being made on whether to process to the next stage of the statutory process.

### **Corporate/Service Objectives**

58. The Council's adopted Local Development Plan (2011-2026) has allocated the provision of a new primary and nursery school on land to the north of the railway line, Rhoose, under Policy MG6 (6) 'Provision of Educational Facilities.

59. The effective management and supply of school places contributes to the Council's wellbeing outcome 3: An Aspirational and Culturally Vibrant Vale and Objective 5: Raising overall standards of achievement, included within the Corporate Plan 2017 - 2020.

### **Policy Framework and Budget**

60. This is a matter for Executive decision by the Cabinet.

### **Consultation (including Ward Member Consultation)**

61. Ward Member consultation for the usage of Section 106 contributions from both developments will be proposed by the Planning department.

62. Public consultation with all interested parties will be carried out in accordance with legislation, following the statutory processes set out in the School Standards and Organisation (Wales) Act 2013.

### **Relevant Scrutiny Committee**

63. Learning and Culture and Corporate Performance and Resources

### **Background Papers**

None.

### **Contact Officer**

Trevor Baker            Head of Strategy, Community Learning and Resources

## **Officers Consulted**

Lisa Lewis	Operational Manager, Strategy and Resources
Mark Haynes	Project Manager
Mike Matthews	Principal Strategic Planning Officer - Learning and Skills
Carolyn Michael	Operational Manager, Finance
Charlotte Pugh	Section 106 Officer
Jane Wade	Operational Manager, Property Section
Mike Walsh	Principal Lawyer

## **Responsible Officer:**

Paula Ham, Director of Learning and Skills