

The Vale of Glamorgan Council

Cabinet Meeting: 17 December 2018

Report of the Cabinet Member for Learning and Culture

Proposal to increase the number of primary Welsh medium school places in Barry

Purpose of the Report

1. To seek Cabinet approval to consult stakeholders on a proposal to transfer Ysgol St Baruc to a newly constructed 420 place school building with 96 part time nursery places, the entrance of which is within one mile (1.609344 kilometres) of its existing main entrance on its current site, on the Barry Waterfront development as part of the Council's Strategic Outline Programme for Band B of Welsh Government's 21st Century Schools Programme by:
 - Moving all staff and pupils from the existing building to a newly constructed school building.
 - Making a regulated alteration by increasing the capacity of Ysgol Sant Baruc at the new site from 210 places to 420 places.

Recommendations

1. That Cabinet authorises the Director of Learning & Skills to undertake consultation from 8 January 2019 to 22 February 2019 on the proposal to make a regulated alteration under section 2.3 of the School Organisation Code November 2018 to increase the capacity of Ysgol St Baruc from 210 places to 420 places which would increase Welsh medium capacity in Barry by an additional 210 primary school places and 48 part time nursery places.
2. That Cabinet notes that implementation of the proposal would be subject to the relevant statutory processes and notes that Welsh Government capital funding would be subject to approval of a rigorous business case.
3. That Cabinet authorises an increase in Welsh medium primary school places in Barry in order to ensure that the Council's School Investment Programme is reflective of the Council's commitments in its Welsh in Education Strategic Plan (WESP).
4. That Cabinet refers this report to the Learning and Culture Scrutiny Committee for consideration as part of the proposed consultation exercise.

Reasons for the Recommendations

1. To seek feedback through a formal consultation with the community and prescribed stakeholders, and to enable the Council to comply with the requirements of the Schools Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018.
2. To ensure that Cabinet is aware of the views and responses of those consulted when deciding whether or not to proceed with a proposal to publish the proposal by way of a statutory notice and of the scheme's dependency on Welsh Government match funding.
3. That the Council's School Investment Programme is reflective of the Council's commitments in the Welsh in Education Strategic Plan (WESP) which aims to ensure that demand for Welsh medium education can be met in the long-term, in line with Welsh Government's National Gymraeg 2050 strategy and contributing to its ambitious target of 1 million Welsh speakers by 2050.
4. To ensure that the Learning and Culture Scrutiny Committee is consulted on the proposal.

Background

2. The 21st Century Schools Programme is a long term strategic investment in educational estate throughout Wales. It is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), local authorities, colleges and diocesan authorities.
3. The Vale of Glamorgan Local Development Plan (LDP) 2011-2026 provides the local planning policy framework for the Vale of Glamorgan and was adopted by the Council on 28 June 2017. A new school for the Barry Waterfront development was included as part of the LDP.
4. The Council presented its Strategic Outline Programme (SOP) for Band B investment to the Welsh Government on 31 July 2017. This document proposed an investment of £142.4m, £84.566.5m of which would be funded by Welsh Government.
5. The Council has made significant investment in Welsh medium education which has seen an increase in bilingual learners and aims to continue this trend to ensure there is sufficient capacity over the long-term. In anticipation of Band B of the 21st Century Schools Programme, the Council has already consulted on, and approved, the expansion of the secondary phase of Ysgol Gymraeg Bro Morgannwg, the Vale of Glamorgan's all-through 3-19 school from 1361 to 1660 places.
6. The second wave of investment in the 21st Century Schools Programme commences in April 2019 and requires the Council to meet the following investment objectives:
 - addressing growth in demand for Welsh medium education;
 - reductions of surplus capacity and inefficiency in the system;
 - expansion of schools in areas of increased demand for educational services;
 - address condition of educational assets; and
 - making assets available for community use where demand exists.
7. A proposal submitted as part of the Council's Strategic Outline Programme (SOP) Band B submission was the establishment of a 420 place primary school on the

Barry Waterfront development in order to meet current and future demand for school places.

8. In October 2007, a Consortium of house builders comprising Persimmon Homes, Taylor Wimpey and Barratt Homes entered into an agreement with Associated British Ports and the Welsh Government for the right to develop the Barry Waterfront area. In March 2012 planning permission was granted for comprehensive redevelopment of the site subject to conditions and a Section 106 Agreement.
9. The site comprises 48.55 hectares of land. The development will include:
 - The construction of approximately 1,700 dwellings
 - New retail space
 - Cafes, bars and restaurants,
 - New transport links to Barry Island
 - Community facilities
10. As of August 2018, 621 private dwellings have been built and are occupied. 104 additional dwellings are currently under construction. 135 affordable homes have been built and are occupied. Approximately 1,700 dwellings will be built in total by 2022.
11. The Waterfront development is located to the south-west of Barry town centre and is positioned between the town centre and Barry Island.
12. The Barry Waterfront Development currently serves High Street and Holton Primary Schools for English medium primary provision, Ysgol St Baruc for Welsh medium primary provision and All Saints and St Helens primary schools for denominational education.

Legal Implications (to Include Human Rights Implications)

13. Part 1 of the Education Act 1996 (“the 1996 Act”) imposes a number of general duties on all local authorities in Wales. The general duty in section 13 of the 1996 Act is to contribute (so far as the Council’s powers enable them to do so) towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.
14. Section 13A(3) of the 1996 Act states that a local authority in Wales must ensure that their relevant education functions and their relevant training functions are exercised by the authority with a view to promoting high standards, and promoting the fulfilment of learning potential by every person to whom the subsection applies, including those who are of compulsory school age or are below school age and are registered as pupils at schools maintained by the authority.
15. Section 14 of the 1996 Act then provides that the Council shall secure that sufficient schools for providing primary education and secondary education are available in the Council’s area. Schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity for appropriate education. Appropriate education means education which offers such variety of instruction and training as may be desirable in view of (a) the pupils’ different ages, abilities and aptitudes; and (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.

16. Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018. The Council is to comply with the relevant provisions in connection with the proposal
17. (1) School Standards and Organisation (Wales) Act 2013
18. Part 3 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) is concerned with school organisation. The Welsh Ministers have issued the School Organisation Code (“the Code”). Local authorities must, when exercising functions under Part 3 of the 2013 Act, act in accordance with any relevant requirements contained in the Code, and must have regard to any relevant guidelines contained in it. A copy of the Code is found here:
<http://www.assembly.wales/laid%20documents/sub-ld11730/sub-ld11730-e.pdf>
19. Chapter 2 of Part 3 of the 2013 Act deals with school organisation proposals. An alteration which is a “regulated alteration” in relation to the type of school in question may be made to a maintained school only in accordance with Part 3 of the 2013 Act. The term “regulated alteration” is defined in Schedule 2 to the Act. The following changes are “regulated alterations”:
 - The transfer of a school to a new site is a regulated alteration (unless a main entrance of the school on its new site would be within one mile of a main entrance of the school on its current site) (see paragraph 2 of Schedule 2 to the Act).
 - The alteration by a year or more of the lowest age of pupils for whom education is normally provided at the school is also a regulated alteration (see paragraph 5 of Schedule 2 to the Act); and
 - The enlargement of the premises of the school which would increase the capacity of the school by at least 25% or 200 pupils as compared with the school’s capacity on the appropriate date is also a regulated alteration (see paragraph 10 of Schedule 2 to the Act)
20. Under section 42(1)(a) of the 2013 Act, a local authority has the power to make proposals to make a regulated alteration to a community school.
21. Section 48(2) of the 2013 Act provides that before publishing such proposals, a proposer (in this case, the Council) must consult on its proposals in accordance with the Code. The consultation document must be issued during the term time of the schools affected and consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days.
22. The proposer must publish a report on the consultation it has carried out in accordance with the Code. The consultation report must summarise each of the issues raised by consultees, responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons; and setting out Estyn’s view (as provided in its consultation response) of the overall merits of the proposal.
23. If a local authority decides to proceed with a proposal to make regulated alterations to a maintained school, it must publish proposals to that effect in accordance with the Code (section 48(1)). The proposal must be published by way of statutory notice. Chapter 4 of the Code sets out specific requirements as to how statutory proposals must be published. Proposals must be published on a school day and the objection period must include 15 school days (in addition to the day on which it is published).

24. Section 49 of the 2013 Act makes provision for any person to object to proposals published under section 48 within the objection period of 28 days. The Council must then publish a summary of all objections made to the proposal and its response to those objections before the end of 7 days beginning with the day of the Council's determination.
25. The local authority proposer must then determine whether the proposals should be implemented. Where a local authority's proposals have received objections, and require determination, those objections will be carefully considered before a final determination is made. A further report to Cabinet will be prepared before any such determination is made. This determination must take place before the end of 16 weeks beginning with the end of the objection period.

(2) The Code

26. The Code contains the following elements:
 - It imposes requirements in accordance with which relevant bodies (including all local authorities in Wales) must act. Where mandatory requirements are imposed by the Code or by the 2013 Act or another statute or statutory instrument, it is stated that the relevant bodies must comply with the particular provision. Where practices are prohibited, it is stated that the relevant bodies must not use this practice.
 - It includes statutory guidance to which the Council must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals. Where guidance is given by the Code, it is stated that relevant bodies should follow this guidance unless they can demonstrate that they are justified in not doing so.
27. Paragraph 1.1 of the Code sets out the key background principles and policies, which should be taken into account by the Council in developing school organisation proposals. These include:
 - United Nations Convention on the Rights of the Child
 - The Well-being of Future Generations (Wales) Act 2015 (see below)
 - Cymraeg 2050, A Million Welsh Speakers
 - Action Plan, Cymraeg 2050
 - One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy
 - Child Poverty Strategy for Wales (issued February 2011 Information document number 95/2011), or any successor strategy
 - Faith in Education
 - Local plans for economic or housing development
 - Welsh in Education Strategic Plans (made under part 4 of the School Standards and Organisation (Wales) Act 2013)
 - Children and Young People's Plans (or successor plans)
 - 21st Century Schools – Capital Investment Programme and the relevant wave of investment

- Learner Travel Statutory Provision and Operational Guidance 2014:
<https://beta.gov.wales/learner-travel-statutory-provision-and-operational-guidance>
 - Measuring the capacity of schools in Wales, Circular No: 021/2011:
<https://beta.gov.wales/measuring-capacity-schools-guidance>
 - Children and Young People’s National Participation Standards
28. Section 1.4 of the School Organisation Code 2018 outlines that Council’s should consider the extent to which the proposal would support the targets in the approved Welsh in Education Strategic Plan (WESP).
29. If following the consultation process and the consideration of responses a decision is made to proceed to a statutory notice to transfer Ysgol St Baruc to a new larger 420 place school building with 96 part time nursery places on the Barry Waterfront development, the notice will comply with the requirements of the Schools Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018, Statutory Code Document no. 011/2018.

The Well-being of Future Generations (Wales) Act 2015

30. The Well-being of Future Generations (Wales) Act 2015 (‘the 2015 Act’) sets out new ways of working – of planning and making decisions – for local authorities and other public bodies it lists. The aim is that, by improving these things, the overall well-being of Wales will be better improved by the things public bodies collectively do. The Act and the statutory guidance makes it clear that local authorities must, in the course of their corporate planning and their delivery against those plans:
- balance short term needs against the ability to meet long term needs;
 - think about the impact their objectives have on other organisations’ objectives, and on the well-being of Wales, in an integrated way;
 - involve in those processes people who reflect the diversity of the population they serve;
 - work together collaboratively with other organisations to better meet each other’s objectives; and
 - deploy their resources to prevent problems from getting worse or from occurring in the first.
31. The statutory guidance, for organisations subject to the Act, sets out the expectations for how the duties should be met:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

The Act itself is available to view online:

<http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

Current practice on the use of surplus school accommodation, Information document No 158/2014

Relevant Issues and Options

32. The Council has a 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.

33. The Council has a statutory duty to secure sufficient school places in its area to meet current and future demand for school places in line with national, regional and local strategies.
34. Expanding schools and developing new schools is required where there is a shortfall in school places, current and future, to meet demand for Welsh, English and denominational schools. This may arise due to large scale housing developments planned for an area, increased demand and changes to parental preference for schooling.
35. Since 1998, the Barry area has seen a 5.8% decline in the demand for English medium education, and an increased demand for Welsh medium education of 6.7%.
36. Cymraeg 2050: A million Welsh speakers was published in July 2017, and sets out the long-term vision for the Welsh language. Increasing the number of Welsh speakers is one of the three key themes, and the following key transformational changes will be required within the education sector in order to achieve the vision:
 - Increase the proportion of each school year group receiving Welsh-medium education from 22 per cent (based on 7,700 seven-year-old learners in 2015/16) to 30 per cent (about 10,500 in each year group) by 2031, and then 40 per cent (about 14,000 in each year group) by 2050.
 - Transform how we teach Welsh to all learners in order that by 2050 at least 70 per cent of those learners report that they can speak Welsh by the time they leave school.
 - Increase the number of primary teachers who can teach in Welsh from 2,900 to 3,900 by 2031 and 5,200 by 2050; increase the number of secondary teachers who can teach Welsh from 500 to 900 by 2031 and 1,200 by 2050; and increase the number of secondary teachers who can teach through the medium of Welsh from 1,800 to 3,200 by 2031 and 4,200 by 2050.
37. The Welsh Government expectation of Councils is to create the demand for Welsh-medium education through ambitious planning with achievable yet realistic targets whilst maximising existing resources. This would include capital investment through the 21st Century schools and Educational Capital Programme.
38. The Welsh in Education Plan 2017 - 2021 sets out a direction for the development of Welsh medium and Welsh language education over the four year period, in line with the vision of Cymraeg 2050: A million Welsh speakers and Education in Wales.
39. The action plan requires Councils to develop long-term strategic plans for school place planning in order to increase the number of learners in Welsh-medium or bilingual education, including increasing the proportion of Welsh-medium teaching and learning in schools.
40. The Council appreciates that in order to contribute effectively to the Welsh Government's target of 1 million Welsh Speakers by 2050, significant investment in provision is required within education to both generate and facilitate demand for Welsh Language education. The Vale of Glamorgan's Welsh in Education Strategic Plan 2017-2020 is an integral part of the Councils Bilingual strategy. The objectives set out in the Council's Welsh in Education Strategic Plan are to:
 - Expand our Welsh language provision in education to meet current and forecasted demand.
 - Communicate the opportunities for all learners.

- Promote the benefits of using Welsh in education, and the opportunities bilingualism enables.
 - Enable equal opportunities to access provision for all learners.
41. In contributing effectively to the Welsh Government's target of 1 million Welsh Speakers by 2050 and to facilitate demand, the Council's Band B submission for the Welsh Government's 21st Century Schools Programme has the capacity to introduce substantial places linked to Welsh medium across all sectors and to reflect new large-scale housing developments planned over the next 10 years.
 42. A number of large scale housing developments are planned for the Vale of Glamorgan area. In Barry, 1700 houses are planned for the Waterfront development in Barry.
 43. The projected number of pupils emanating from a development is calculated using a formula derived from census data of householders in the Vale of Glamorgan. The formula is contained within the Council's Supplementary Guidance for planning purposes.
 44. The Barry Waterfront Development in total is projected to yield around 170 nursery, 473 primary and 422 secondary school pupils.
 45. 756 units in total have been built and occupied to date with children placed at schools serving the area. There are 900 houses left to be built and completed by 2022 that excludes 1 bed flats and apartments which are not considered to accommodate children. The remaining 900 houses are projected to yield a further 90 nursery, 250 primary and 223 secondary school places.
 46. The demand for schooling required for the 250 primary age children emanating from the Waterfront development in Barry, based on current demand in the area, would be as follows:
 - 167 (67%) requiring English medium provision
 - 47 (19%) requiring Welsh medium provision
 - 20 (8%) requiring church in Wales provision
 - 16 (6%) requiring roman catholic provision
 47. Although current demand for Welsh medium education is reflected above, the Council is expecting to see a notable increase in future as a result of the Council's commitment to developing a bilingual Vale of Glamorgan. The Council has seen demand for Welsh medium primary school places in the Barry area increase from 15% to 19% over the last ten year period that is expected to continue in future. This together with the Council's strategy to generate and facilitate demand for Welsh medium education in future in line with Welsh Government's commitment to Cymraeg 2050, is expected to increase the demand for Welsh Medium school places above the current levels.
 48. Welsh Government is projecting an increase in Welsh medium speakers of around 8% by 2030 and 16% overall by 2050. If the same ratio is applied to the Welsh medium primary school sector, overall primary school numbers would almost double by 2050 requiring substantial increase to the Council's school infrastructure.
 49. Since the commencement of the development in 2014, the availability of school places in the Barry area has reduced with families moving into the development requiring a school place for their children.

Number on Roll (NOR) per year group at Barry English medium primary schools

School	AN*	School Capacity	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total NOR	Total Surplus Capacity (excludes overcapacity at schools)
All Saints	30	210	30	28	28	30	30	30	30	206	4
Barry Island	30	210	30	30	28	30	30	30	30	208	2
Cadoxton	60	420	60	58	58	59	59	59	55	409	11
Colcot	45	315	32	44	39	45	45	40	48	293	22
Gwenfo	30	210	31	30	28	29	28	30	29	205	5
Gladstone	60	420	46	58	61	60	61	57	54	397	23
High Street	30	210	28	30	30	31	31	31	32	213	0
Holton	60	420	41	58	55	57	59	60	59	389	31
Jenner Park	30	210	28	22	30	35	43	26	28	212	0
Oakfield	30	210	23	20	30	30	28	19	20	170	40
Palmerston	30	210	30	30	29	29	31	29	27	205	5
Romilly	90	630	90	89	89	89	89	85	90	621	9
St Helens	44	308	29	37	35	46	49	45	42	283	25
Total	569	3983	498	534	540	570	583	541	545	3811	177
Places available in year groups			71	35	29	-1	-14	28	24		

* AN - Admission Number

Number on Roll (NOR) per year group at Barry Welsh medium primary schools

School	AN*	School Capacity	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total (NOR)	Total Surplus Capacity
Bro Morgannwg	30	210	29	28	30	28	30	28	33	206	4
Ysgol Sant Baruc	30	210	29	29	23	28	26	30	29	194	16
Ysgol Sant Curig	60	420	50	56	55	53	52	51	54	371	49
Ysgol Gwaun Y Nant	60	270	22	41	34	28	35	25	24	209	61
Total	180	1110	130	154	142	137	143	134	140	980	130
Places available in year groups			50	26	38	43	37	46	40		

* AN - Admission Number

50. As at November 2018, there are 130 Welsh medium primary places and 177 English medium primary places currently available in Barry. Ysgol Gwaun Y Nant currently accounts for 61 of the available Welsh medium primary places. The school is located in the east of Barry and over 2 miles from the Waterfront development. In the immediate short term, 65 children from the Waterfront development could potentially be accommodated in spare capacity at Ysgol St Curig and St Baruc but is dependent upon space in particular years groups, as some year groups are fuller than others.
51. The next nearest school for any remaining children and for other children moving into the south west of Barry is Ysgol Gymraeg Bro Morgannwg, however there are minimal places available in the primary phase. Gwaun Y Nant is the next nearest school with available capacity, however relying on these surplus places would therefore result in significant transportation costs as the Waterfront development is over the 2 mile qualifying limit to Ysgol Gwaun y Nant for free school transport purposes. The Council would be required to provide school transport to Ysgol Gwaun Y Nant for those living on the Waterfront development as and when surplus capacity is taken up at Ysgol St Baruc and Ysgol St Curig.
52. Ysgol Gwaun Y Nant has a current admission number of 60 and a school capacity of 270 as a result of the incremental expansion of the school from 2015 onwards to meet demand. Due to a short term surplus capacity the school has taken the opportunity to offer its accommodation to use additional support to the local community for purposes such as wrap around care for pupils and for community use. Gibbonsdown Family Centre currently provide wrap around care on the school site for parents of children attending the school nursery in the morning and afternoons. A private after school club also runs from the school premises providing after school care arrangements for parents. The school has in the past run a Ty a Fi parent and toddler group for parents/carers.
53. The Council acknowledges the use of spare capacity within the school and how important this has been for the community as a whole. As a result, a future review of the schools capacity and admission number will be undertaken with the governing body to take account of the allocation of space to other uses.
54. Welsh medium education is increasing in popularity and has seen significant growth over the last 18 years since the opening of Ysgol Gymraeg Bro Morgannwg. This has been evident in the recent 'Transforming Secondary Education in Barry' project which has seen a reduction in the number of English medium secondary places available in Barry from 2754 to 2200 and an increase in the number of Welsh medium secondary places available from 1151 to 1450.
55. Ysgol Dewi Sant is a Welsh medium primary school in Llantwit Major that opened in September 2011. In the first year of opening, the reception intake contained just 3 pupils. Just 7 years later, the September 2018 intake was oversubscribed with 32 applicants for 30 places.
56. The Council acknowledges there may be some concern that the demand for Welsh medium places does not materialise. However, the Council is confident that there is sufficient evidence to suggest demand for Welsh medium education will continue to grow, reflective of Welsh Government's strategy, Cymraeg 2050: A million Welsh speakers, and its projections for the number of Welsh speakers aged three and over up to 2050, having been produced as part of the strategy. It is anticipated that the requirement and pro-active nature of promoting bilingual education and creating additional provision to support parents and pupils who decide to transition into Welsh

medium education via an immersion centre or similar provision as outlined in the Welsh in Education Strategic Plan will further increase uptake over the long term. Any surplus capacity within schools would be managed as it would with any other school or Council asset.

57. The remaining pupil yield from 900 houses will be accommodated utilising existing surplus capacity at schools. However, there is an anticipated modest shortfall of English medium primary school places by 2022. This demand could be met through a reassessment of capacity at Holton and Jenner Park primary schools. Over the last 5 years capacity has been removed from Holton and Jenner Park primary schools through a re-designation of room uses. The schools had previous surplus capacity that could be made available to increase the number of English medium places available. Both of these schools are within 2 miles of the Barry Waterfront development. It is anticipated that as demand for Welsh medium increases, there will be a corresponding decrease in the demand for English medium school places
58. The proposed site of a primary school on the Waterfront would require changes to the catchment areas of High Street, Holton and Ysgol St Baruc Primary schools.
59. The construction of a new school building could also result in the Council reviewing school catchment areas as a whole for the Barry area to ensure that school catchment areas reflect the needs of the schools they serve in the area.
60. A Welsh medium primary school on the Waterfront development would provide a better geographical spread of Welsh medium primary schools in Barry. This together with a remodelling of school catchment areas would support an increase in numbers at other schools in Barry with surplus capacity.
61. Ysgol St Baruc comprises a main Victorian building and a two classroom block built in the 1980's. The school is on a very confined sloping site with no prospect of substantially increasing the site to meet 21st Century schools standards. The school currently uses the dining facilities at the adjacent High Street Primary School as there is no catering provision at the school. In addition, the classrooms are too small for the number of pupils attending the school.
62. High Street Primary occupies a two storey Victorian building on a sloping site with the main access via a flight of stairs, there is also a stand-alone demountable classroom to the rear. Wheelchair access around the site and into the school is limited. The site is small and sloping with a grass area but no sports pitches. The school is separated from Ysgol St Baruc by a retaining wall approximately 4m high, access between the schools is via steps and along Aberystwyth Crescent. The buildings are generally in a reasonable condition apart from the recommended upgrading to the heating system.
63. In considering proposals, moving the site of High Street Primary School to a newly constructed school building at Barry Waterfront was considered, with a further move of the site of St Baruc Primary Schools to the adjacent High Street site. While this option would provide facilities to St Baruc which it currently lacks such as catering facilities and additional outdoor space, it is not the preferred option as it does not address the need to increase and distribute Welsh medium primary provision as per the local and national strategies outlined above, or accommodate the projected increase in Welsh medium demand in the medium-long term. Full details of all options considered would be included as part of any consultation documentation issued as part of this proposal and subject to consideration by Members. Individual feedback and themes on the proposal and alternatives considered would also be available for Members to consider prior to any decisions being taken as part of the consultation process.

64. Pupils would be educated in a high quality modern building which would be able to support the delivery of a broad and balanced curriculum.
65. Information would be circulated to all properties in the Barry Waterfront development on the benefits of being bilingual to promote Welsh medium education.

Statutory Process

66. Welsh Government issued a revised School Organisation Code in 2018 ("the Code") that came into effect on the 1st November 2018. The Council must "act in accordance with the Code" as determined by the School Standards and Organisation (Wales) Act 2013.
67. Section 48 of the School Standards and Organisation (Wales) Act 2013 Act requires that before school organisation proposals are published they must first be subject to consultation. A consultation document must be published and provided to prescribed consultees and Welsh Ministers.
68. Consultees must be advised by letter or email of the availability of the consultation document and that a hard copy can be obtained on request. Consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days. Meetings will be held during the consultation period to provide additional information as requested and would include meetings with parents, pupil representatives, governing bodies, staff of the school and the community as set out in the Code.
69. A consultation report must be published including a summary of comments received and the Council's response to these comments, at least two weeks prior to the publication of any statutory notice.
70. The Council must then decide whether or not to proceed with the proposal within twenty six weeks of the end of the period allowed for consultation responses. If following the consultation process the Council decides that the establishment of a Welsh medium primary school is to be progressed, a statutory notice would be published providing 28 days for objections. The notice must be published on a school day and must include 15 school days (in addition to the day on which it is published).
71. If objections are received, an objection report must be published with a summary of the objections and the Council's response before the end of 7 days beginning with the day of its determination. Under the legislation as the proposal does not relate to 6th form education the Local Authority can determine the proposal if objections are received.
72. Appendix A sets out the anticipated timescale for this process if approved by Cabinet.

Resource Implications (Financial and Employment)

73. It is estimated that the total capital funding required to build a new school on the proposed site would be £7.417M.
74. The estimated revenue cost of operating a new 420 place school is £1.43M. The revenue budget delegated for Ysgol Sant Baruc for 2018/19 is £760k. The £570k 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.
75. A schools delegated budget is driven by pupils on roll rather than capacity, therefore, this budget growth will be gradual in line with the growth of pupils on roll.

76. The staff, governing body and pupils at Ysgol Sant Baruc would move to the new school building. Staff would remain on current terms and conditions.

Sustainability and Climate Change Implications

77. Transferring Ysgol Sant Baruc and increasing the number of school places from 210 to 420 offers a more efficient and sustainable model than opening an additional 210 place school to serve the Barry Waterfront Development. The proposal also addresses issues with the existing Ysgol Sant Baruc building, such as the lack of dining facilities.
78. The proposals will ensure that new buildings will meet modern building standards to reduce carbon emissions, meet BREEAM Excellence standards, and will achieve the highest rating of A for the Energy Performance Certificate (EPC).
79. A minimum of 80% of services and materials will be procured locally as part of the Welsh Government 21st Century Schools programme.

Crime and Disorder Implications

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

Equal Opportunities Implications (to include Welsh Language issues)

81. The proposal will provide an opportunity for pupils to access Welsh medium education within their immediate community.
82. 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.
83. The Council has made a commitment in the Welsh in Education Strategic Plan (WESP) to ensure that demand for Welsh medium education can be met in the long-term, in line with Welsh Government's ambitious target of 1 million Welsh speakers by 2050. This proposal will increase the number of Welsh medium school places in Barry by 210 full time primary school places and 48 part time nursery school places.
84. A full Equality Impact Assessment will be developed as part of the consultation exercise and will be included within the consultation report.

Corporate/Service Objectives

85. This proposal contributes to the Council's wellbeing outcome: an aspirational and culturally vibrant Vale and to the corporate objective of raising overall standards of achievement.

Policy Framework and Budget

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

Consultation (including Ward Member Consultation)

87. 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

88. Learning and Culture.

Background Papers

None.

Contact Officer

Mike Matthews Principal Strategic Planning Officer - Learning and Skills

Officers Consulted

Trevor Baker	Head of Strategy, Community Learning & Resources
Lisa Lewis	Operational Manager, Strategy & Resources
Jane O'Leary	21st Century Schools Programme Manager
Matt Curtis	21st Century Schools Project Manager
Carolyn Michael	Operational Manager, Finance
Victoria Davidson	Operational Manager, Legal Services

Responsible Officer:

Paula Ham, Director of Learning and Skills

Proposed timetable for increasing the number of primary Welsh medium school places in Barry

Prepare, approve and print consultation documents.	November 2018 – December 2018
Consultation period.	8 January 2019 to 22 February 2019 (6 weeks required with at least 20 school days)
Consultation report presented to Cabinet (If approved – proceed to statutory notice).	1 April 2019
Statutory notice period.	29 April 2019 to 26 May 2019
Report to Cabinet on the outcome of the statutory notice. Where objections are received an objection report is also presented to Cabinet.	July 2019
Cabinet decision notification to consultees.	July 2019
Implementation of proposal.	September 2021

The proposed timetable maybe subject to change