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**SCHOOL ORGANISATION PLANNING: PRIMARY SCHOOL PLACES TO SERVE CATHAYS AND PARTS OF GABALFA, HEATH, LLANDAFF NORTH AND PLASNEWYDD**

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**Appendix 4 to this report has been redacted to remove information which is exempt from publication pursuant to paragraphs 13 and 21 of Part 4 of Schedule 12A of the Local Government Act 1972; and Appendices 5 and 6 to this report have been redacted to remove information which is exempt from publication pursuant to paragraphs 14 and 21 of Part 4 of Schedule 12A of the Local Government Act 1972.**

### **Purpose of the Report**

1. To provide Members with the opportunity to carry out pre-decision scrutiny of proposals, attached at **Appendix A**, prior to its consideration by Cabinet at its meeting on the 18 January 2024.

### **Structure of Papers**

2. Attached to this report are the following:
  - **Appendix A** – the draft Report to Cabinet – 18 January 2024. This in turn has a number appendices, namely;
    - **Appendix 1** - Cabinet Report (19 October 2023) – ***please note that Members have already considered this report in detail.***
    - **Appendix 2** – Statutory notice
    - **Appendix 3** – Objections of representative organisations
    - **Appendix 4** – Other objections (*Redacted to remove Exempt Information*)
    - **Appendix 4A** – Other objections (*Exempt from publication*)
    - **Appendix 5** - St Monica's Church in Wales Primary School independent valuation report (*Redacted to remove Exempt Information*)

- **Appendix 5A** - St Monica's Church in Wales Primary School independent valuation report (*Exempt from publication*)
  - **Appendix 6** – Ysgol Mynydd Bychan independent valuation report (*Redacted to remove Exempt Information*)
  - **Appendix 6A** – Ysgol Mynydd Bychan independent valuation report (*Exempt from publication*)
  - **Appendix 7**– Single Impact Assessment
3. Also attached at **Appendix B** is a copy of the Chair's letter in response to the October 2023 Cabinet report, which is included in these papers at **Appendix 1**.

### **Background to the Proposal**

4. At its meeting on 19 October 2023 the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notice relating to Allensbank Primary School, Gladstone Primary School and Ysgol Mynydd Bychan as set out at paragraph 1 of the Cabinet report. A copy of the Cabinet Report of 19 October 2023 is attached as **Appendix 1. Members are reminded that they have already considered this report. The Chair's letter arising from the consideration of this report is set out in Appendix B.**
5. This statutory notice was published on 9 November 2023 for a period of 28 days to allow for objections. The statutory notice period expired on 6 December 2023. A copy of the notice is attached at **Appendix 2.**
6. The notice was published on the Council website, posted at the school site, and in the local area.
7. Copies of the notice were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
8. Residents in the local area were notified of publication of the statutory notice by letter.

9. At its meeting on 26 October 2023 the St Monica's Church in Wales Primary School Governing Body agreed to progress its proposals to the next stage and to issue a legal statutory notice to:
- Transfer St Monica's Church in Wales Primary School, Whitchurch Road, Cardiff CF14 3JL, into the premises currently occupied by Ysgol Mynydd Bychan, New Zealand Road, Cardiff, CF14 3BR.
  - Extend the age range of the school from 4 – 11, to 3 – 11, by establishing nursery provision at the school to allow for 32 part-time places.
  - The proposed changes would be implemented from September 2025.
10. The statutory notice regarding proposed changes to St Monica's Church in Wales Primary School was published separately by the Governing Body in line with the requirements of the School Organisation Code. This statutory notice was also published on 9 November 2023 and the statutory notice period expired on 6 December 2023.

### **Further Information Highlighted in the Cabinet Report**

11. The Cabinet Report attached at **Appendix A** is set out as follows:
- **Objections Received to the Council's Published Proposals** – paragraphs 11-14, plus *Appendix 3* and *confidential Appendix 4*.
  - **Objections Received to the St Monica's Church in Wales Primary School Published Proposals** - paragraphs 15 – 17
  - **School Organisation Planning Code requirements** - paragraphs 18 – 119
  - **Objections to the proposal** - paragraphs 120 and 121 plus *Appendix 3* and *confidential Appendix 4*.
  - **Request for a new build school on the site of Companies House** - paragraphs 122 - 125

- *Appraisal of views expressed* - paragraphs 126 – 133
- **Appropriateness of Allensbank Primary School building for Ysgol Mynydd Bychan** – paragraphs 134 – 136
  - *Appraisal of views expressed* – paragraphs 137 - 143
- **Appropriateness of Gladstone and St Monica's Primary School buildings for Allensbank pupils** – paragraph 144
  - *Appraisal of views expressed* – paragraphs 145 – 146
- **Impact of the expansion of Ysgol Mynydd Bychan on Ysgol Glan Ceubal** – paragraphs 147 – 153
  - *Appraisal of views expressed* – paragraphs 154 – 174
- **Impact on English-medium primary school staff** – paragraphs 175 – 178
  - *Appraisal of views expressed* – paragraphs 179 – 206
- **Impact of closure on Allensbank Primary School and Gladstone Primary School** – paragraphs 207 - 214
  - *Appraisal of views expressed* – paragraphs 215 – 239
- **Pupil projections** – paragraphs 240 – 241
  - *Appraisal of views expressed* – paragraphs 242 – 248
- **Decision makers** – paragraph 249
  - *Appraisal of views expressed* – paragraphs 250 – 252
- **Implications for secondary school provision** – paragraphs 253 – 257
- **Admissions and Catchment areas** – paragraphs 258 – 264
- **Learner Travel Arrangements** – paragraphs 265 – 271
- **Impact of the proposals on the Welsh Language** – paragraphs 272 – 292
- **Wellbeing of Future Generations** – paragraphs 293 – 294
- **Governance arrangements** – paragraphs 295 – 300
- **Local Member consultation** – paragraph 301
- **Scrutiny Consideration** – paragraph 302

12. The draft Cabinet report also provides details on the following areas:

- **Financial Implications** – paragraphs 304 - 312
- **Legal Implications** – paragraphs 313 - 331
- **Human Resources Implications** – paragraphs 332 - 336

- **Traffic and Transport Implications** – paragraphs 337 - 343
- **Property Implications** - paragraphs 344 - 348
- **Impact Assessment** – paragraph 349 and *Appendix 7 to the Cabinet Report*

### **Reason for Recommendations**

13. To balance English-medium and Welsh-medium community primary school provision to serve Cathays and parts of Gabalfa, Heath, Llandaff North and Plasnewydd.

### **Recommendations set out in the Cabinet Proposals**

14. The Cabinet is recommended to:

- I. Note the proposals of the Governing Body of St Monica's Church in Wales Primary School to transfer St Monica's Church in Wales Primary School to the current Ysgol Mynydd Bychan site and establish nursery provision at the school, from September 2025, which are subject to determination by the Governing Body on 11 January 2024.
- II. Subject to the determination of the Governing Body of St Monica's Church in Wales Primary School to implement the proposals referred to in recommendation 1, to proceed to:
  - (i) Approve the proposals in respect of Allensbank Primary School, Gladstone Primary School and Ysgol Mynydd Bychan as set out in paragraph 1 of this report, without modification.
  - (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1.
  - (iii) Authorise officers to publish the decision within 7 days of determination of the proposals.

- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts) and the approval of all ancillary documentation related to any property matters arising from this report.

### **Scope of Scrutiny**

15. The scope of this scrutiny is for Members to consider and provide comments on the draft report to Cabinet, prior to its consideration of the report on the 18 January 2024.

### **Previous Scrutiny**

16. This issue has previously been considered by this Committee as follows:

- **17 October 2023** - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 17th October, 2023, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
- **20 March 2023** – report of the SOP Task & Finish Group - [Agenda for Children and Young People Scrutiny Committee on Monday, 20th March, 2023, 5.00 pm : Cardiff Council \(moderngov.co.uk\)](#)
- **15 June 2021** - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 15th June, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)

- **15<sup>th</sup> December 2020** - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 15th December, 2020, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)

## **Way Forward**

17. At this meeting, the following have been invited to attend. There will be a verbal introduction given at the beginning of the Item, with a Q&A session afterwards.

- Councillor Huw Thomas (Leader of the Council)
- Melanie Godfrey (Director of Education and Lifelong learning),
- Richard Portas (Programme Director for the School Organisation Programme)
- Brett Andrewartha (School Organisation Programme Planning Manager)
- Michele Duddridge-Friedl (Operational Manager, School Organisation Programme Strategy)

18. This report will enable Members to provide any comments, concerns or recommendations to the Cabinet Member prior to its consideration by Cabinet.

## **Legal Implications**

19. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure

Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

20. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

### **RECOMMENDATIONS**

The Committee is recommended to:

1. Review and assess the information contained in the draft Cabinet Report and its appendices, attached at **Appendix A**, together with any information provided at the meeting;
2. Provide any recommendations, comments or advice to the Cabinet Member and senior officers prior to the report's consideration by Cabinet.

**Leanne Weston**  
**Interim Deputy Monitoring Officer**  
**9 January 2024**