

**NEW SCHOOL PROVISION TO SERVE PARTS OF  
PONTRENAU AND OLD ST MELLONS**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH  
MERRY)**

**AGENDA ITEM: 6**

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**Reason for this Report**

1. For Cabinet to note the proposal that St Mellons Church in Wales Primary School would transfer to the new school site on the new housing development at St Edeyrn's (Local Development Plan Strategic Site G), expand from 105 places to 210 places and extend its age range from 4-11 to 3-11 by incorporating a nursery for 48 part time places.
2. For Cabinet to note the revenue implications and potential capital implications arising from additional school provision, and potential VAT implications that may arise from the current land ownership arrangements and plans for the existing St Mellons Church in Wales Primary School site.

**Background**

3. At its meeting on 12 July 2018, the Council's Cabinet agreed a recommendation to hold public consultation on proposals to rationalise English-medium primary school places in the Llanrumney area, including a proposal to close Glan-yr-Afon Primary School in August 2019.
4. In view of the responses received during the consultation and other considerations, the Council's Cabinet agreed at its meeting on 13 December 2018 that the proposal to close Glan yr Afon Primary School from 31 August 2019 is not progressed.
5. However the issue of surplus capacity in the Llanrumney area, with a greater number of places in primary schools than children who wish to attend those schools remains.
6. At January 2018, there were 261 surplus places (19.4%) in English medium primary schools serving the area. The number of surplus places at Glan-yr-Afon Primary School was 140 (47.9%).

7. The Cabinet therefore authorised officers to explore the viability of modified proposals to the closure of Glan-yr-Afon Primary School, and to bring a further report to Cabinet for consideration setting out details of how the provision of community English-medium primary school places in the Llanrumney area could be addressed.
8. The report of 13 December 2018 set out that any future proposals brought forward to ensure a better match between the supply of and demand for English-medium places in the Llanrumney area would need to consider:
  - The need to reduce the number of surplus English-medium primary school places;
  - The organisation of primary school places in the Llanrumney area;
  - How high quality early years education provision could best be provided and enhanced in the area;
  - How high quality primary education can be sustainably and economically provided through leadership and governance arrangements;
  - The impact of housing developments in the local and wider area, including primary school provision to serve the new housing development at St Edeyrns;
  - The financial implications.

### **New housing developments in Old St Mellons and Llanrumney**

9. A number of new housing developments have been proposed in Llanrumney and in Old St Mellons in recent years which will increase the number of children in the area seeking school places, and will impact on the availability of school places
10. The Council's Supplementary Planning Guidance sets out the circumstances in which the Council could seek s106 contributions from developers towards school facilities. In order to achieve contributions from developers, the Council would be required to evidence that any obligation meets the following criteria:
  - Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
11. S106 contributions would not allow the Council to invest in schools to resolve existing needs that have been identified. Contributions can only be sought when the schools local to a development will continue to be fully subscribed, and there is a need to expand provision either by expanding existing schools or building new schools. Land, building or financial contributions must be directly proportionate to the needs arising from a development.
12. The Council's Education Infrastructure Plan, included in the Deposit LDP in 2013, highlights planned investment / development proposals and

identifies future infrastructure requirements based on Cardiff's projected level and distribution of growth.

13. The St Edeyrn's site, to the East of the Pontprennau Link Road and entirely within Old St Mellons, was identified as a strategic housing site in Cardiff' Local Development Plan (LDP) 2006 – 2026. A new primary school to serve the development was detailed in the Local Development Plan as a policy requirement for essential infrastructure necessary to support the development.
14. Outline planning consent for the construction of up to 1,020 dwellings on the St Edeyrn's site was granted by the Council's Planning Committee on 11 December 2013.
15. A s.106 agreement negotiated with the developer of St Edeyrn's in 2014 provides the Council with the following:
  - A site assigned within the development for a school;
  - A new build one form entry primary school or, subject to additional resources being identified, a two form entry primary school to be constructed by the developer;
  - Financial contributions ring-fenced towards the provision of additional secondary school places within three miles of the development.
16. To date, approximately 350 houses have been completed and are occupied on the St Edeyrn's development.
17. A number of new housing developments have been proposed in Llanrumney through the Cardiff Housing Partnership in recent years, including:
  - the new housing development totalling 106 dwellings at Branton Crescent and Clevedon Road, following the demolition of 121 apartments;
  - the new housing development at the former Llanrumney Housing Depot resulting in a net increase of 32 dwellings; and
  - a planning application proposing 98 dwellings on the Llanrumney High School site received by the Council in October 2018.

## **Issues**

### **Current Capacity/ schools serving the areas**

18. The Llanrumney area is served by Bryn Hafod, Glan-yr-Afon, Pen-y-Bryn, St Cadoc's Catholic and St Mellon's CiW English-medium Primary Schools. Welsh medium provision to serve Llanrumney is available at Ysgol Bro Eirwg and Ysgol Pen y Pil, which serve parts of Llanrumney, Rumney, Trowbridge and Old St Mellons.
19. Old St Mellons is served by Glan-yr-Afon, Pen-y-Bryn, Willowbrook, Oakfield, St Cadoc's Catholic, Bishop Childs CiW and St Mellon's CiW English-medium Primary Schools. Welsh medium provision to serve Old

St Mellons is available at Ysgol Gynradd Gymraeg Pen Y Groes, Ysgol Bro Eirwg and Ysgol Pen y Pil, which serve parts of Llanrumney, Rumney, Trowbridge, Pontprennau, Old St Mellons and Pentwyn.

### **Establishing local demand for primary school places**

20. Projections based upon NHS data received in 2018, the latest year for which data are available, indicate that the number of English-medium community pupils entering Reception from existing housing is not expected to reach the peak intake of September 2015 and 2016.
21. When considering likely demand for places across the area a number of factors have been used to inform projections and forecasts, including:
  - Recent and historic populations known to be living in each area utilising NHS data;
  - Recent and historic Numbers on roll taken from verified PLASC (Pupil Level Annual Census) for Cardiff schools;
  - Recent and historic percentages of children attending English-medium and Welsh-medium community and faith places.
22. Forecasts are prepared based on:
  - current residential populations;
  - likely populations from the future residential developments currently in construction and proposed;
  - likely demand if take up patterns were to remain consistent with the most recent years applying these trends to the relevant populations entering primary education in future years;
  - Potential changes to take up patterns which may increase demand in one type of provision but reduce another.
23. Full information regarding projections and forecasts prepared relevant to the area and the methodology used to establish likely demand are set out in Appendix 1.

### **Summary forecasts of demand for places at entry to Reception**

24. The work undertaken to establish the likely demand for places in English-medium primary schools across the Llanrumney and Old St Mellons areas shows that there will be an overall projected surplus of approximately 63 Reception places in the area based on existing housing. However, if the pattern of take up of places in recent years continues, where a significant proportion of pupils in Llanrumney take up places elsewhere, projected surplus is expected to be greater than 63 places.
25. A map indicating the location of, and catchment areas of, English-medium primary schools is attached as Appendix 2. A map indicating the location of, and catchment areas of, Welsh-medium primary schools is attached as Appendix 3.

26. When compared to the existing supply of places at Reception age, projections for years 2019 to 2021 indicate:
- a surplus of 29 English-medium community primary school places in 2018/19, rising to a surplus of 32 in 2020/21, in the combined catchment areas of Bryn Hafod, Glan Yr Afon and Pen Y Bryn primary schools, should the take-up of places continue at existing levels;
  - a fluctuating surplus of 21, 47 and 31 English-medium community and faith school places in years 2018/19, 2019/20 and 2020/21, in the St Mellons Church in Wales, Oakfield and Willowbrook primary school catchment areas.
27. This excludes the yield of pupils from the St Edeyrn's development which is projected at an average of 31 pupils per year group when the development is complete.

### **New build 1 FE primary school on the St Edeyrn's development**

28. A new school is being provided by the site developer as part of the planning agreement with the Council to meet the needs of the local community. The primary purpose of new school provision is to serve pupils who would be resident within the development – the new provision being necessary and directly proportionate to the projected yield of pupils from the development.
29. At the time of establishment, the housing development would not be fully complete. It is anticipated that the housing development would be complete and all dwellings occupied between 2021 and 2023.
30. The housing developer for the St Edeyrn's development proposes to construct a new one form entry school building in a single phase to serve the development. This would provide sufficient places for the number of pupils expected to reside on the development who require places in an English-medium primary school, when the planned 1,020 dwellings are completed.
31. In order to ensure a suitable primary school site able to not only accommodate a school to serve the development but also of sufficient size to be 'future-proofed' and able to sustain a two-form entry primary school, the s106 agreement for the St Edeyrn's development allows for a site of c2 hectares in size.
32. This school site is therefore sufficient in size for a two form entry primary school with on-site pitch, and would enable the expansion of the school on its existing site in the event of further housing.
33. The new build school provides a timely opportunity to consider reorganisation of school provision serving the community of Old St Mellons and adjacent communities. The catchment areas of existing primary schools serving Old St Mellons extend into other communities.

## Long term options

34. It is proposed that St Mellons Church in Wales Primary School is transferred to the new school building and site on the St Edeyrn's development, and expanded from 105 places (0.5 forms of entry) to 210 places (1 form of entry) plus 48 part-time nursery places.
35. Whilst the school is fully subscribed at present and has been for a number of years, small schools such as St Mellons Church in Wales Primary School face significant financial challenges in balancing their budget. The annual revenue funding allocation for each individual school comprises a combination of fixed lump sum elements and per pupil funding amounts based on the number of pupils within the school.
36. The proposed transfer and expansion would provide a sustainable balance in the supply of and demand for places on the St Edeyrn's development, and through reducing the overall number of school places within the Llanrumney area would reduce surplus and improve the balance in the supply of and demand for places in Llanrumney.
37. Pupils on the roll of St Mellons Church in Wales Primary School at the time of transfer (1 September 2021) would remain on the roll unless they wish to transfer to an alternative school. The school could therefore expect to have approximately 90 pupils on roll in years 1-6, in addition to the September 2021 Reception and Nursery class intakes.
38. The school would therefore be well placed to increase its Number on Roll, admitting pupils from the St Edeyrn's development, the St Mellons community and other areas subject to parental preference and availability of places.
39. The Cabinet Report of 13 December 2018 proposed to reduce the capacity of Glan-yr-Afon Primary School from 292 places (1.4 forms of entry) to 210 places (1 form of entry) from September 2020. This would reduce the number of surplus places serving the Llanrumney area.
40. Consultation on the 2020/ 2021 admission arrangements for community schools, including a proposal to reduce the Published Admission Number (PAN) from 41 to 30 places for Glan-yr-Afon Primary School, took place in January and February 2019.
41. The Cabinet will receive a report on School Admission Arrangements on 21 March 2019 indicating that there were no responses to the consultation that raised any concern about the proposed reduction, and it is therefore recommended within that report that the arrangements, including the PAN of 30 for Glan Yr Afon Primary School, are approved.
42. The combined transfer of St Mellons Church in Wales Primary School and reduction in Published Admission Number of Glan-Yr-Afon Primary School would reduce the number of surplus places serving Llanrumney by 187 places (0.9 Forms of entry).

43. As set out in the School Organisation Code (011/2018), the governing bodies of voluntary schools may make proposals to make a regulated alteration to their school. The proposed transfer, increase in capacity and expansion of the age range of St Mellons Church in Wales Primary School would constitute a regulated alteration. The Governing Body of the school would therefore be required to undertake a public consultation prior to the publication of any proposal.
44. The Governing Body of the school has agreed that the consultation process required for the proposed regulated alterations be supported by the Council. Following consultation, the Governing Body would be required to issue a consultation report, responding to issues raised during the consultation, and may then proceed to publish its statutory proposals.

### **Proposed changes to admission arrangements and catchment areas**

45. The Published Admission Number for St Mellons Church in Wales Primary School is set at 15 places, based on the accommodation currently available. If the school were to transfer to the new buildings on the St Edeyrn's site, the Published Admission Number would increase to 30 places at entry. The Admission Number for the new Nursery provision would be set at 48 part time places.
46. School Admissions arrangements for Voluntary Controlled schools are normally administered by Local Authorities. Arrangements for the admission of pupils to St Mellons Church in Wales Primary School were delegated to the school many years ago and this has been unchanged since.
47. The Governing Body of the school has agreed that the Council take back responsibility for admission arrangements, and has requested a transition period of three years from the time of the proposal being implemented in September 2021, during which 15 of the 30 places at entry to Reception year would be administered by the Council, as Admissions Authority, using the school's existing oversubscription criteria.
48. The existing oversubscription criteria of St Mellons Church in Wales Primary School gives highest priority, following the admission of Looked After Children, to siblings of children in attendance at the school, followed by children resident within the community of Old St Mellons. Although the oversubscription criteria does not refer to a designated catchment area, the high priority given to children resident within the community of Old St Mellons, and inclusion of distance from the school as a tie-breaker, provides assurance that in the event of the school being highly subscribed sufficient priority would be given to children resident on the St Edeyrn's development.
49. During the transition period, the remaining 15 places per year group would be administered by the Council in accordance with the admissions

policy applicable to community schools in Cardiff for whom the Council is the Admissions Authority.

50. At the end of the transition period, from 2024/25, all places at the school would be administered by the Council in line with the admissions policy of community schools in Cardiff.
51. Consideration would need to be given to the revision of catchment areas served by St Mellons Church in Wales Primary School and neighbouring schools in Llanrumney at the appropriate time.
52. Consultation on admission arrangements for the 2021/2022 school year would take place between 1 September 2019 and 1 March 2020 in accordance with the requirements of the Welsh Government's Admissions Code.
53. There are no plans to change the Council's policy on the admission of children to community schools as a result of this proposal. In accordance with the requirements of the Admissions Code, Admissions arrangements for the 2021/2022 school year would be subject to consultation in the period between 1 September 2019 and 1 March 2020, and determined 15 April 2020.
54. Detailed information regarding admission arrangements is contained in the Council's Admission to Schools booklet, and this information can be viewed on the Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)).

### **Land matters**

55. The legal status of school sites of Voluntary Controlled schools, such as St Mellons Church in Wales Primary School, is that the school site is owned by the relevant Trust / Diocese and playing fields are owned by the Local Authority.
56. If the proposal were to proceed, valuation of the existing school site would need to be undertaken. In transferring from the site, the net value of the site would be deemed to accrue to the trustees and used as their capital contribution to the build cost of the new school.

### **Impact of new schools on existing primary school provision**

57. Whilst the provision of a new one form entry primary school would provide additional school places in high quality accommodation, this may have a differential impact on other local schools.
58. The establishment of new school provision, particularly in new build facilities, inevitably attracts pupils from other areas. This could significantly impact the rolls of existing schools. Careful consideration must therefore be given to the timing, scale and type of provision established in order to avoid destabilising or undermining other schools.

59. At the time of the first pupils being admitted to the new school buildings at St Edeyrn's there could be significant surplus capacity within a building capable of accommodating up to 210 primary school pupils and 48 part-time nursery pupils. The establishment of a new school in any area where the local demand for places would not immediately fill the school would either result in surplus places within the new school or it may attract pupils from other areas to attend the school, and thus result in surplus places elsewhere.
60. The arrangements for establishing new schools in Cardiff as 'starter schools' would normally allow admissions to Nursery and Reception years only, at the time of opening. Pupils would not be admitted to Year groups 1-6 at the time of opening. The school would grow and admit pupils to these year groups over a seven year period. This limits the impact of new school provision on neighbouring schools and allows stable growth of a new school.

**Transfer of St Mellons Church in Wales Primary School pupils and growth of new school**

61. The transfer of St Mellons Church in Wales Primary School into the new build school would allow for approximately 15-18 pupils in each year from Years 1-6 to transfer from the existing St Mellons site to the new St Edeyrn's site.
62. The numbers of pupils enrolled in the current year groups who are assumed to transfer to the school in September 2021, if the proposal were to proceed, are as follows:

Current Year group (2018/19 school year)	Year group as at September 2021	Pupils enrolled at 20 November 2018
Reception	Year 3	18
Year 1	Year 4	18
Year 2	Year 5	17
Year 3	Year 6	16
Year 4	Year 7	N/a - not transferring
Year 5	Year 8	N/a - not transferring
Year 6	Year 9	N/a - not transferring

63. The Reception Year intake in September 2021 would admit all pupils from the St Edeyrn's development and places would also be taken up by pupils from other parts of Old St Mellons and elsewhere.
64. The proposed transfer of pupils to take up some of the places in Years 1-6 would therefore mitigate the immediate impact of the proposal on existing schools and provide an opportunity to admit pupils from the new development to some other year groups at an earlier stage than if admissions to all year groups were phased over seven years.
65. Whilst the new school buildings are provided to serve the new development, this does not prevent places being taken up at the new

school ahead of the development being complete. In accordance with the Welsh Government's statutory School Admissions Code, the Council is unable to either restrict admission to a school to those pupils living within the designated catchment area or to reserve places in a school for any pupils who may subsequently move into the area.

66. It is therefore an inevitable risk that some families moving into new housing on the St Edeyrn's development beyond September 2021 may be unable to attend the school.
67. In November 2018, there were 63 Pupils of primary school age (Nursery – Year 6) who were resident on the St Edeyrn's development. These pupils attend 24 primary schools throughout the city. At this time, the maximum number of pupils attending a specific school was seven. The majority of these schools enrolled three pupils or fewer.
68. It is therefore considered that there are two potential options for the admission of pupils to the expanded St Mellons Church in Wales Primary School from September 2021.

- **Option 1** - The increase of the Admission Number to be implemented on a phased basis; with Reception admitting up to 30 pupils and years 1-6 retaining an Admission Number of 15 in September 2021.

Implementing the increased admission number on a phased basis would allow the school to retain its existing class structure of mixed-age classes in older age groups. This would also limit the impact of the proposal on other schools, as children would be unable to transfer from other schools into these age groups at the school.

However, this would prevent primary school pupils resident in St Edeyrn's who are above Reception age at September 2021 from taking up places at the local primary school. Local pupils above Reception age would be required to take up places at schools elsewhere and it is likely that many journeys to school for those resident on the development would be by inactive modes of travel.

- **Option 2** - The increase of the Admission Number to be implemented throughout the school from September 2021.

Implementing the increased admission number throughout the school would not allow the school to retain its existing class structure of mixed-age classes in older age groups. The impact of the proposal on other schools would be greater as children would be able to transfer from other schools into these age groups at the school.

This would, however, allow primary school pupils resident in St Edeyrn's who are above Reception age at September 2021 to taking up places at the local primary school. As the number of pupils attending other primary schools does not exceed seven per school, the effect would be limited.

The expected completion of development between 2021 and 2023 could mean that a greater number of children moving to the development would benefit directly from being able to attend the school under this option.

69. As Option 2 would better meet the needs of the community that the school would serve, it is proposed that the Admission Number of 30 places in Years Reception – 6 is implemented.

### **Educational benefits of proposed transfer of St Mellons Church in Wales Primary School**

70. The following benefits would be expected to result from this proposal:
- Sufficient capacity to meet the English-medium community pupil demand within the St Edeyrn's development;
  - Pupils will be educated in high quality, modern buildings which will be able to support the delivery of a broad and balanced curriculum;
  - When compared with the existing school, the scale of a one form entry primary school permits greater flexibility and opportunity for pupils owing to an extended, more enhanced and secure financial resource base;
  - A one form entry school, future-proofed to allow for potential expansion to a two form entry school, can provide a greater degree of stability at all levels of leadership including maintaining a full and stable complement of school governors;
  - The ability to employ more teaching and support staff would allow the one form entry school to cover a wider range of curriculum expertise than a half form entry school.

### **Design and build of new school**

71. New schools in Cardiff have in recent years been funded wholly by Cardiff Council or have been part funded by Cardiff Council and Welsh Government. Tendering and procurement of new schools has been undertaken by the Council, and contractors appointed to build new schools on the Council's behalf.
72. The new primary school on the St Edeyrn's development is to be procured by the developer and construction is proposed to be completed in Summer 2021.
73. The Council has worked closely with the housing developer and its partners to deliver a clear vision and design brief which will enable contractors to design a school which will meet the Council's requirements.
74. An optimised design approach has been adopted for the design of Cardiff primary schools, applying good practice and lessons learnt from new builds in recent years, which in turn provides efficiencies in resourcing and operationally.

75. The design supports strengthening the role of schools at the heart of their community through co-location of community services within school sites and integrated services where appropriate.

### **Community facilities**

76. The section 106 agreement with the developer allows for a new community facility to be built which forms part of the proposed primary school building at the St Edeyrn's development. The positioning of the facility, size, layout and specification are to be finalised. It is proposed that the facility will be physically linked to the school.
77. St Mellons Church in Wales Primary School would benefit during school hours from being able to access the community hall, subject to availability.
78. The management arrangements for the facility would need to be agreed with the Governing Body of the school at the appropriate time. The management of the facility cannot incur net costs for the school.

### **Implications for secondary school provision**

79. The St Edeyrn's development falls within the catchment areas of Eastern High and Ysgol Gyfun Gymraeg Bro Edern. The development is also served by St Teilo's Church in Wales Primary School, Corpus Christi High School and St Illtyd's Catholic High School, although admissions to these schools give priority to criteria that are faith-based and/ or based on attendance at a school of the same faith.
80. Demand from within the catchment area for English-medium places at entry to secondary education at Eastern High was below the Published Admission Number of 240 places for a number of years but has recently increased.
81. Eastern High was oversubscribed in Year 7 at the start of the 2018/19 academic year, and in the initial round of allocations for the 2019/20 intake all places were offered to children resident with the catchment area of the school. Whilst the pattern of parental preferences has changed recently, there is no significant increase in population projected in existing housing in the school's catchment area.
82. St Teilo's Church in Wales High school offers 240 places at entry to year 7, including 160 foundation places and 80 open places. The school has also been fully subscribed in recent years.
83. As many pupils from St Mellons Church in Wales primary school currently promote at age 11 to St Teilo's Church in Wales High School, this would be expected to continue. Children who meet lower oversubscription criteria for admission to the school may be unable to be admitted to the school but could be accommodated in community schools elsewhere in Cardiff.

84. Corpus Christi Catholic High School offers 215 places at entry to year 7. The school has been fully subscribed in recent years.
85. St Illtyd's Catholic High School offers 176 places at entry to year 7. The school has also been fully subscribed in recent years.
86. However, as the admissions arrangements for faith-based schools serving the area are determined by the Governing Body of each school, the arrangements that prioritise the admission of children attending a Church in Wales primary school may be subject to change.
87. Based on recent trends, demand for Welsh-medium places at entry to secondary education within the catchment area of Ysgol Gyfun Gymraeg Bro Edern is not expected to exceed the 180 places before September 2024, the latest date for which secondary catchment projections are available.
88. Combined demand across the three Welsh-medium high school catchment areas is projected to exceed overall capacity at Year 7 in 2021/2022.
89. Proposals will be brought forward in good time to ensure that there are sufficient places to meet the demand for English-medium places within the Eastern High School catchment area, and to meet the demand for Welsh-medium places in each Welsh-medium secondary school catchment area.
90. The English-medium and Welsh-medium secondary school catchment areas will face challenges without re-organisation of provision. The large scale housing developments underway and proposed in the North of the city of the will require additional secondary school places.
91. Any proposals brought forward to expand secondary school provision to meet the demand from additional housing could impact on the existing organisation and pattern of schools.
92. Officers are monitoring birth rates, the yield from proposed housing and the patterns of take up in English-medium, Welsh-medium and Faith provision at primary and secondary age with a view to bringing forward appropriate plans to meet the increased demand.

#### **Future use of current St Mellons CiW Primary School site**

93. The proposed transfer of St Mellons Church in Wales Primary School from its current site would allow the Council to investigate options to utilise the vacated buildings from September 2021.
94. The school buildings are rated as Category C (Exhibiting major defects/Not operating as intended) for overall condition and Category B (Satisfactory - Performing as intended but does not effectively support the delivery of the curriculum in some areas) for suitability as a primary school.

## **Local Member Consultation**

95. Llanrumney members welcomed proposals that would balance the supply of and demand for places across Llanrumney and which seek to increase school rolls in the area.
96. Local Members for Pontprennau and Old St Mellons welcomed the Council bringing forward a proposal for a new school to serve the St Edeyrn's development and supported the proposal for St Mellons Church in Wales Primary School to transfer to the new school site.

## **Reason for Recommendations**

97. To respond to demand for additional English-medium primary school places to serve Pontprennau and Old St Mellons.

## **Impact of the proposal on the Welsh Language**

98. It is not anticipated that there will be any negative impact on the Welsh Language, as a result of this proposal.
99. The Council works closely and constructively with partners on its Welsh Education Forum, which includes representatives of nursery, primary, secondary and further education, childcare, RhAG and the Welsh Government. The Forum actively informs the planning of Welsh-medium places, to continue to drive the Council's plan to sustainably increase the number of learners within Welsh-medium schools and those learning Welsh in English-medium schools.
100. The Council, and its partners on the Welsh Education Forum, are committed to driving the increase in number of pupils educated through the medium of Welsh, to meet the targets within Cardiff's WESP, and to meet the targets set out in the Welsh Government's Cymraeg 2050 strategy.
101. The Council monitors birth rates, the yield from proposed housing and the patterns of take-up in Welsh-medium provision at primary and secondary age, with a view to bringing forward appropriate plans to meet any increased demand.
102. The Council must ensure that the expansion of school provision is brought forward in a strategic and timely manner, which does not compromise existing provision. Expanding Welsh-medium primary school provision would, inevitably, have an impact on the take-up of places in other schools, and in turn on the ability of schools to balance budgets and to attract or retain staff.
103. The Council's aspirations for increasing the number of Welsh speakers, and the Welsh Government's Cymraeg 2050, propose a significant change. Cymraeg 2050 sets national targets of educating 40% of learners in Welsh-medium schools, and a further 30% of learners being educated in English-medium schools being fluent in Welsh. At present,

c17% of Cardiff children entering primary education are educated in Welsh-medium schools or classes.

104. This proposal does not seek to change the number of Welsh-medium primary or secondary school places available in the area.
105. The provision of 105 additional English-medium primary school places at St Mellons Church in Wales Primary School, compared to the reduction of 82 English-medium places at Glan Yr Afon Primary School, would mean that the overall proportion of Welsh-medium places city wide is marginally reduced. The St Edeyrn's development will continue to be served by Ysgol Gynradd Gymraeg Pen y Groes.
106. The potential provision of additional Welsh-medium primary school places on the St Edeyrn's school site, within the catchment area of and in close proximity to Ysgol Gynradd Gymraeg Pen Y Groes at this time would likely inhibit the growth of Ysgol Gynradd Gymraeg Pen Y Groes, and has therefore been discounted.
107. In November 2017, 17% of primary age children and 13% of secondary age children resident on the St Edeyrn's development were enrolled in Welsh-medium schools in Cardiff. This is broadly consistent with city-wide averages.
108. The teaching of Welsh within an English medium setting is subject to the requirements of the National Curriculum. This would not change with the transfer of the school to new build accommodation.

### **Learner Travel Arrangements**

109. There are no plans to change the Council's transport policy for school children.
110. Any pupils affected by the proposals would be offered the same support with transport as is provided throughout Cardiff in line with the same criteria that apply across Cardiff.
111. There are no children transported by the Council to St Mellons Church in Wales Primary School at present and it is considered unlikely that many Llanrumney pupils, if any, would qualify for free transport to the new school.
112. The Council's transport policy for school children can be viewed on the Council's website [www.cardiff.gov.uk/schooltransport](http://www.cardiff.gov.uk/schooltransport).

### **Community impact**

113. The following are taken into account when considering a proposal: Public Open Space, parkland, noise and traffic congestion. Officers will work with schools and any community group to make sure that the proposal avoids negative impacts if possible.

114. A key objective of the Council is to enable third party access the sports facilities at schools, on a sustainable financial basis. Welsh Government's aim for shared facilities in community-focussed school are to:
- Provide opportunities for the local community and sports organisations to participate in sport and physical activity for health improvement and development of their skills, particularly amongst low participant groups;
  - Operate in line with the national agenda for sport taking into account nationally adopted strategies;
  - Generate positive attitudes in sport and physical activity by young people and reducing the dropout rate in sports participation with age;
  - Increase the number of people of all ages and abilities participating in sport and physical activity including people with disabilities;
  - Use the facilities to encourage the range, quality and number of school sports club links and to stimulate competition that is inclusive of young people and adults;
  - Provide affordable access to the facilities and to be self-financing and cost neutral in the first instance, generating sustainable income for the school in the future.

### **Wellbeing of Future Generations**

115. In line with the Wellbeing of Future Generations Act, the Council is committed to providing local schools for local children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each school project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
116. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.
117. In order to maximise the long-term impact of this significant investment, any design taken forward in this proposal would be developed to ensure the delivery of high quality modern facilities that are able to respond to the current pupil population needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses, such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.

### **Scrutiny Consideration**

118. The Children and Young People's Scrutiny Committee consider this issue on 12 March 2019. The letter from the Chair of the Committee is attached at Appendix 5.

## **Financial Implications**

119. This report outlines a proposal to transfer, and expand, St Mellons CiW Primary School to a new site within the St Edeyrn's development. This transfer will give rise to revenue implications and, potentially, capital implications. Regarding revenue, it will be necessary to ensure that the annual budget allocated to the school reflects the size and structure of the school. School budgets are predominantly predicated on pupil numbers and, therefore, it will be necessary to increase the school budget in line with the annual growth in pupil numbers. To enable this to be achieved, without financial detriment to other individual school budgets, it will be necessary to factor the projected growth in pupil numbers into the Council's annual budget setting process and medium term financial planning. It is not currently anticipated that there will be an impact in terms of school transport, however this will need to be kept under review as the school grows.
120. Regarding capital implications, further work is required to fully assess the likely cost of the new school building and whether the s106 contributions sufficiently cover the cost of this development. Should it be determined that the cost exceeds the agreed level of contribution, it will be necessary to consider the financial implications that arise from this. Should the Council be required to make a contribution towards the overall cost, this will need to be funded from within existing approved resources or factored into future iterations of the Council's Capital Programme. As part of the further evaluation that is required, it will be necessary to consider VAT implications arising from the current land ownership arrangements and plans for the existing school site. Should there be any cost associated with the required VAT treatment, these will need to be included within the overall financial envelope of the scheme. Furthermore, the ongoing ownership and maintenance responsibilities will need to be assessed and factored into the overall capital cost of the scheme and ongoing revenue requirements.

## **Legal Implications**

121. Under the Education Act 1996, the Council has a general statutory obligation to promote high standards of education and to provide sufficient school places for pupils of compulsory school age.
122. The governing body of a voluntary school may make proposals to make regulated alterations to the school. The proposals set out in the report in respect of St Mellons Church in Wales Primary School are regulated alterations under Schedule 2 of the School Standards and Organisation (Wales) Act 2013.
123. The governing body is required, prior to publishing its proposals, to undertake a consultation on those proposals in accordance with section 48 of that Act and the School Organisation Code 2018. The Code contains a mixture of legal requirements and guidance, and includes factors to be taken into account in developing and considering proposals

and the consultation process to be followed. The consultation period must be at least 42 days, including at least 20 school days.

124. The Council, as the local authority responsible for maintaining the school, is one of the statutory consultees with whom the governing body must consult on its proposals.
125. Following the public consultation, the governing body will be required to issue a consultation report, responding to issues raised during the consultation; and may then proceed to publish its statutory proposals. If no objections are received during the statutory objection period (28 days) following publication of the proposals, the governing body may implement its proposals. If, however, objections are received, the proposals will be referred to the Council for determination. The Cabinet is responsible for determining any such proposals referred to the Council.
126. The Council is the Admissions Authority for voluntary controlled schools (although it can delegate this responsibility to the governing body, with its agreement, or revoke any such delegation). Catchment areas and published admission numbers of schools are part of the Council's admission arrangements and therefore the statutory consultation process set out within the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 would need to be followed if, following consultation, these proposals are taken forward.
127. The admission arrangements determined by the Council as Admissions Authority for a designated religious school may make provision for faith based oversubscription criteria, subject to compliance with the Code and equalities legislation.
128. In considering the proposals, the Council must have regard to its public sector equality duties under the Equality 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. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. Due regard should be given to the outcomes of the Equalities Impact Assessment.
129. The Council must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its decisions upon the Welsh language.
130. The Wellbeing of Future Generations (Wales) Act 2015 requires the Council to consider how the proposed decision will contribute towards meeting its well being objectives (set out in the Corporate Plan). Members must also be satisfied that the proposed decision complies with the sustainable development principle, which requires that the needs of

the present are met without compromising the ability of future generations to meet their own needs.

### **HR Implications**

131. The proposed increase in pupil numbers of St Mellons Church in Wales Primary School will require the Governing Body and Senior Leadership Team to plan for workforce requirements in readiness for the expansion. HR People Services will provide advice, support and guidance to the Governing Body for this in line with the SOP HR Framework. Where there are new vacancies which arise as a consequence of an increase in the numbers on roll, this will provide opportunities for any candidates within the redeployment pool.
132. As the proposal also includes the relocation of the school, this will require high levels of staff and trade union consultation; clear communication plans regarding the arrangements for the transition from one site to another; in addition to staff involvement in the development of building specifications or designs.

### **Transportation**

133. The Council's Local Development Plan (2006-2026) includes a target of 50% of all journeys to be made by sustainable transport. Minimising the proportion of school journeys made by car and maximising opportunities for travel to school by active and sustainable modes can make an important contribution to achieving this target and reducing pressures on the transport network at peak times. Increasing travel to school by active modes will have a positive impact on children's health and wellbeing and will support the delivery of key actions and outcomes under Goal 5 the Council's Child Friendly City Strategy (2018), which relates to ensuring access to safe outdoor environments for formal and informal play, walking, cycling and scooting and active travel to school.
134. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing an Active Travel Plan. Such a plan will identify actions by the school to support and encourage active travel to school and also any improvements to on-site and off-site infrastructure required to facilitate active journeys. .
135. The provision of new schools and the relocation of existing schools provides a clear opportunity to address travel behaviour in the context of a new setting. The Council's approach to this for the new St Mellons Church in Wales primary school will need to address the following issues.
136. The new school site is located further away from the homes of most of the existing pupils than St Mellons Church in Wales Primary School. There are 26 current pupils who live within one mile of the new school site while 89 pupils (of whom 8 live outside of catchment) live over one mile away.

137. Data from the annual Hands Up survey (2017) for St Mellons Church in Wales Primary School indicates that 43% of pupils were driven to school by car, 38% of pupils walked, 5% parked and walked and 2% cycled. Only 2% travelled by bus.
138. Given that more pupils will live further away from the new school than the existing site, some parents may feel a greater need to drive their children to school. However, it will not be possible to drive directly to the site as vehicular access to the site via Bridge Road will not be permitted. This is because, as part of the new housing development, access to the site via Bridge Road will be restricted to buses only via a bus gate.
139. The only other driving route to the site from Llanrumney would be via a lengthy detour, along Newport Road, Southern Way, the A48 and the A4232 Pentwyn Link Road. This would be neither convenient for parents nor sustainable.
140. The lack of an easy driving option will thus make walking to school the most practical option for the Llanrumney-based pupils who live nearer to the new school site. For this reason, it is essential that good walking routes are available between Llanrumney and the new school site and that every effort is made to facilitate travel to the site from Llanrumney by sustainable modes.

### **Walking Routes**

141. In terms of off-site infrastructure, the new school site is linked to the Llanrumney area by a pedestrian route which follows a section of Bridge Road and Ruperra Close before connecting to Ty Winch Road. Works to complete the safe walking route from the proposed new school site to Llanrumney are due to be implemented in the near future and will be in place by the time that the new school building is open in September 2021.
142. The master plan for the St Edeyrn's development includes active travel links to the proposed school site. As the development is relatively compact, the school will be within a reasonable walking distance for most residents. Measures to deter residents from driving to the school will need to be built into the design of the access arrangements for the new school. The Council's transport team will work closely with colleagues within the Planning and Education teams to develop the right solutions and support the development of the site travel plan which will incorporate an Active Travel Plan.

### **Active Travel Plan**

143. The Active Travel Plan will be developed in conjunction with the planning design and delivery of the new school facility and is likely to be made a condition of the planning consent.
144. Officers from the transport team will work closely with colleagues within the planning and education teams to develop the Active Travel Plan and

to ensure it is fully tailored to the setting of the school and its future needs. Development of the plan is likely to include the following activities

- Early engagement with the school's headteacher, governing body and ward councillors to identify key issues and potential solutions
- Engagement with parents of pupils including help with personalised travel planning
- Identification of essential infrastructure within the school site to support active travel, such as bicycle and scooter stands
- Specification of supporting off-site engineering measures to facilitate walking and cycling to the site
- Support from the Council's Road Safety Team to deliver active travel-supporting activities including national standards cycle training, Junior Road Safety Officers, Kerbcraft and Streetwise, and working with Welsh Cycling Go Ride team to deliver cycling skills
- Encouraging and supporting the school to implement walking buses

145. As the new school site will be a greater distance away than the existing school for many pupils, a number of parents of Llanrumney-based pupils may want to drive their children to the new school. It may, therefore, be necessary to consider the introduction of parking restrictions on Bridge Road to mitigate problems with congestion and nuisance parking in the area at school start and finish times. These matters need to be considered as part of design of the school and associated highway infrastructure and as part of the Active Travel Plan.

146. Any on-site car parking should not exceed limits included in the Council's adopted parking standards included in the Managing Transport Impacts Supplementary Planning Guidance (2018).

147. Parking restrictions will be implemented within the immediate vicinity of the site, where this is necessary to prevent problem parking and for safety reasons.

### **Equality Impact Assessment**

148. An Equality Impact Assessment on this proposal has been carried out. The assessment concluded that this proposal would not adversely affect a particular group in society (details of the Equality Impact Assessment can be seen at Appendix 4).

## RECOMMENDATIONS

The Cabinet is recommended to:

1. note the proposal for St Mellons Church in Wales Primary School to transfer to the new school site on the new housing development at St Edeyrn's (Local Development Plan Strategic Site G), expand from 105 places to 210 places and extend its age range from 4-11 to 3-11 by incorporating a nursery for 48 part time places.
2. note that the statutory consultation process is to be undertaken by the school governing body, and instruct officers to provide all reasonable assistance in this regard.
3. agree, in principle, to the provision of the new school site on the new housing development at St Edeyrn's, subject to appropriate terms being agreed, with advice from the Section 151 Officer and Director of Governance and Legal Services; and
4. authorise the Director of Education & Lifelong Learning to formally respond on behalf of the Council to the public consultation issued by the school governing body in due course.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>NICK BATCHELAR</b> Director of Education & Lifelong Learning
	15 March 2019

*The following appendices are attached:*

Appendix 1: Projections and forecasts

Appendix 2: English-medium primary school catchment areas

Appendix 3: Welsh-medium primary school catchment areas

Appendix 4: Equality Impact Assessment

Appendix 5: Letter from Chair of Children & Young People Scrutiny Committee