
**New Primary School Provision to serve parts of Creigiau/ St Fagans, Radyr/
Morganstown and Fairwater**

Purpose of the Report

1. To undertake pre-decision scrutiny of a report to Cabinet on the provision of a new primary school to serve parts of Creigiau, St Fagans, Radyr, Morganstown and Fairwater, prior to its consideration by Cabinet at a special meeting on the 24 June 2020.

Structure of the Papers

2. To facilitate the scrutiny the following appendices are attached to this report:

Appendix A – Cabinet report

The following 4 appendices are attached to Appendix A:

- Appendix 1: Plasdŵr statutory notice
- Appendix 2: Plasdŵr consultation
- Appendix 3: Plasdŵr statutory screening tool
- Appendix 4: Plasdŵr Cymdeithas Yr Iaith objection

Scope of the Scrutiny

3. The Cabinet will meet on 24 June 2020 to consider a report on the development of a new primary school to support the Plasdŵr development.
4. This additional meeting of the Covid-19 Scrutiny Panel will ensure Members have an opportunity to consider:

- The Council's proposals to establish a 2FE entry dual stream primary school with nursery provision to serve the early phases of the Plasdŵr development in accordance with the requirements of the School Organisation Code.
- That due to Covid-19 lockdown construction of the Plasdŵr development will be delayed and negotiations are ongoing with the developer in relation to their revised timetable

Background

5. The Covid-19 Scrutiny Panel was established by full Council on 21 May 2020. The new arrangements put in place until 30 September 2020 request that a new measured and proportionate scrutiny, tailored to meet the emergency situation, should consider all Cabinet decision making reports. The Panel meets remotely when required, its deliberations and recommendations are then formally relayed to the Cabinet Member in time to inform Cabinet decision taking on the matter scrutinised. To ensure all previous scrutiny informs the internal challenge, in advance of this meeting all Members of the Children and Young People Scrutiny Committee will be consulted, their comments and enquiries collated and passed to Panel members to follow up, in line with the Panel's Terms of Reference.
6. The Cabinet agreed to establish a dual stream primary school on 23 January 2020. A statutory notice (Appendix 1) was published which expired on 23 March 2020 and three objections were received.
7. It is therefore necessary for the Cabinet to decide whether to approve, reject or approve with modifications, the proposals. Importantly the Council must not approach the decision with a closed mind and any objections must be conscientiously considered.

Previous Scrutiny

8. In January 2020 the Children and Young People Scrutiny Committee carried out pre-decision scrutiny of the Cabinet's proposal to proceed with the establishment of a new primary school, to serve the early phases of the Plasdŵr housing development in North West Cardiff.

9. That report informed the Cabinet of the responses received following consultation on the proposals (Appendix 2) and sought authorisation to proceed to publish the proposal, in accordance with section 48 of The Schools Standards and Organisation (Wales) Act 2013.
10. Following the scrutiny the Committee agreed to commend the report to Cabinet on 23 January 2020, noting that, prior to the implementation of the proposals a further report to Cabinet would provide details of any objections received, the proposed responses to those objections and recommendations for the implementation or otherwise of the proposals.
11. The Scrutiny Committee requested an opportunity for pre-decision scrutiny of this further report, which is now programmed for Cabinet on 24 June 2020.
12. The Committee also requested that the Governing Board for the school should clearly reflect the whole school; expressing concern at the recruitment of staff and requesting that regular updates were provided on progress.

Issues identified in the Cabinet Report

13. The Cabinet report attached at **Appendix A** explains that the Covid-19 pandemic has had significant impact on progress of the Plasdŵr housing development, and consequently the yield of pupils from the new housing development by September 2021 will be lower than anticipated.
14. The Council must deal with a number of factors set out in the School Organisation Code when making school organisation proposals. These relate to:
 - a. Quality and standards in education (*points 11-13*)
 - b. Need for places and the impact on accessibility of schools (*points 14-36*)
 - c. Resourcing of education and other financial implications (*points 37-42*)
 - d. Other general factors (*points 43-45*)
 - e. Specific factors to be taken into account for nursery class provision. (*points 46-51*)
15. The Council has consulted in line with the Welsh Government School Organisation Code, including all pupils at local schools. As mentioned above three objections were received, the objection from Cymdeithas yr Iaith is attached at **Appendix 4**. Each of the objections stated that the new school at Plasdŵr

should be a dedicated Welsh-medium two form of entry primary school, and not a dual stream provision consisting of one Welsh-medium stream and one English-medium with significant use of Welsh stream. A list of the objections are summarised in **point 61 of Appendix A**. The report sets out the Council's response to the objections received (*points 62-99*).

16. Cardiff Council can offer 840 places at entry to Welsh-medium primary education city-wide, sufficient to accommodate up to 20% of the most recent intakes. The number of children entering Welsh-medium Reception classes city-wide peaked in 2016/17 at 744 pupils.
17. A reduction in total pupil numbers entering primary education is projected between September 2021 and 2023, as a consequence of a fall in the birth rate. The total number of Welsh-medium places available at entry to primary education in Cardiff could therefore accommodate approximately 22% of the projected pupil population in 2022 and 2023. The report reassures that there is sufficient capacity within the Welsh-medium primary sector to allow for a significant increase in take up.
18. The report states that the development of Welsh language skills in the English-medium sector has an important contribution to make to the aim of developing Welsh speakers. The proposed dual stream school at Plasdŵr would enable close partnership working of the streams, enabling the children within the predominantly English-medium stream to build more secure Welsh language acquisition. The expectation is that children in the Welsh stream will continue to benefit from full language immersion whilst those in the predominantly English-medium with significant use of Welsh stream will have the opportunity to build a more secure second language base.
19. The model of school proposed would require leadership and teaching staff to be fluent in Welsh, and the Governing Body of the school would need to appoint an experienced, fluent Welsh speaking school leader.
20. The report emphasises that the Council is committed to providing school places in both Welsh and English. The proposed model would enable children within and in close proximity to the new development at Plasdŵr to access a local primary school and to be educated in a Welsh-medium or English-medium setting, whichever is their preference. It also highlights the significant risk that an additional two form entry Welsh-medium only school may attract too many pupils

from other Welsh-medium schools and catchment areas, causing those schools to be under subscribed.

21. The dual stream model proposed is consistent with the Welsh Government's Cymraeg 2050 strategy vision of one million Welsh language speakers by 2050. It will support development of the Curriculum for Wales, meet the projected demand for places from the current phases of the development and contribute towards meeting the demand from future phases of the Plasdŵr development.
22. The model will also allow for those who wish to educate their child at an English-medium school to access primary provision locally and reduce the number of families commuting to school by non-active modes of travel, such as a car.
23. Admission arrangements, agreed by Cabinet on 19 March 2020, propose a phased increase in the Admission Number to the new school. In the first year following establishment, the school would admit pupils to the Nursery classes, up to 30 pupils per stream to Reception Year, and years 1 – 2 would operate a lower Admission Number of 15 places. This would allow primary school pupils resident in the new development who are between Nursery age and Year 2 to take up places at the local primary school in the first year, and the school would grow sustainably to admit pupils to all year groups over a five year period.
24. The report states that the impact of the Covid-19 pandemic will result in a significant slowdown of the housing market, and this will result in a delay in the commencement of the school building works. It is no longer possible that the school buildings would be complete for the start of the 2021/22 school year.
25. Negotiations are underway with the developer to understand the revised house building schedule as a consequence of the Covid-19 lockdown and anticipated completion rates, which will then impact on projected admissions to the school. The report states that the Council will work closely with the lead developer to ensure construction delays which may affect the completion date of the school construction are minimised.

Proposed Recommendations to Cabinet

26. The report recommends that Cabinet:
 - Approve the proposal to establish a 2FE entry dual stream primary school with nursery provision to serve the early phases of the Plasdŵr development

- Note that construction of the Plasdŵr development will be delayed due to Covid-19 lockdown and negotiations are ongoing with the developer in relation to their revised timetable.
- Authorise officers to take the appropriate actions to implement the two proposals as set out above.
- Authorise officers to publish the decision within 7 days of determination of the proposal
- Delegate the approval of any necessary contracts to the Director of Education and Lifelong Learning in consultation with the Corporate Director Resources & Section 151 Officers, Director of Legal Services and the Cabinet Members for Corporate Services & Performance and Education & Skills

Way Forward

27. Councillor Sarah Merry, Cabinet Member, Education, Employment & Skills, Richard Portas, Programme Director, School Organisation, Brett Andrewartha, School Organisation Programme Planning Manager, and James Williams, Principal Solicitor, will attend the remote Microsoft Teams meeting to answer Members' questions.

Legal Implications

28. 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 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 of 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

29. 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 financial implications at this stage in relation to any of the work programme. However, financial 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 financial implications arising from those recommendations.

RECOMMENDATION

30. The Panel is recommended to:

- i. Note Cardiff Council's proposals to establish a two form entry dual stream primary school with nursery provision to serve the early phases of the Plasdŵr development; and that construction of the Plasdŵr development will be delayed due to Covid-19 lockdown and negotiations are ongoing with the developer in relation to their revised timetable.
- ii. Consider whether it wishes to convey any recommendations, comments, observations or concerns to the Cabinet for consideration at its meeting on 24 June 2020.

DAVINA FIORE

Director, Governance & Legal Services

18 June 2020