

# Report

## Cabinet Member for Education and Early Years

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### Part 1

Date: 13 November 2023

**Subject** **Modification of School Reorganisation Proposal – Relocation of Pillgwenlly Primary School and Ysgol Gymraeg Nant Gwenlli**

**Purpose** To modify the dates previously agreed in relation to the relocation of Pillgwenlly Primary School from its current site to a new school on the Whiteheads development, and the subsequent transfer of Ysgol Gymraeg Nant Gwenlli to the vacant Pillgwenlly Primary School building.

**Author** Assistant Head of Education - Resources

**Ward** All

**Summary** A school reorganisation proposal was determined in June 2020 to open a new Welsh-medium primary school in Newport on a temporary site under a seedling model, relocate Pillgwenlly Primary to a new school proposed for the Whiteheads development, and subsequently move the new Welsh-medium primary school to a permanent site in Pillgwenlly.

Whilst Ysgol Gymraeg Nant Gwenlli opened as planned in September 2021, delays in the transfer of the land at Whiteheads meant that building works could not commence as soon as was originally planned; therefore a February 2022 decision report agreed to modify the relocation dates for the two schools to January 2024 and September 2024 respectively.

Unfortunately, further delays in the land transfer arrangements meant that building works did not commence on site until July 2023, and thus these amended dates are no longer achievable. Completion of the new school build is now scheduled for handover to the Council in December 2024.

**Proposal** **To further modify the agreed implementation dates for this school reorganisation proposal and confirm that:**

- **Pillgwenlly Primary School will relocate from its existing site to the new build on the Whiteheads development from January 2025, and;**
- **Ysgol Gymraeg Nant Gwenlli will move from its temporary site in Caerleon to a permanent location on the site of the current Pillgwenlly Primary school in April 2025.**

**Action by** Chief Education Officer

**Timetable** Immediate

This report was prepared after consultation with:

- Corporate Management Team
- Education Senior Management Team
- Senior HR and Finance Business Partners
- Headteacher and Chair of Governors, Pillgwenlly Primary School
- Executive Headteacher and Chair of Governors, Ysgol Gymraeg Nant Gwenlli

**Signed**

## **Background**

A school reorganisation proposal was launched in July 2019 to establish a new two-form entry Welsh-medium primary school in Newport and to relocate Pillgwenlly Primary School from its current site to the school on the Whiteheads development. Following formal consultation, the proposal passed through the statutory notice stage without objection and therefore the Cabinet Member for Education & Skills determined in June 2020 to implement the proposal as consulted upon. The decision was therefore as follows:

- To establish a Welsh-medium seedling primary school on the vacant site of the former Caerleon Lodge Hill Infant School from September 2021;
- To relocate Pillgwenlly Primary School from its existing site to the new build on the Whiteheads development, and in doing so to increase the capacity of the school for mainstream pupils from 546 to 630 and its Learning Resource Base (LRB) from 10 to 20 places from January 2023, and;
- To subsequently transfer the seedling school to a permanent location on the site of the current Pillgwenlly Primary school from September 2023.

## **First Modification**

The new Welsh-medium seedling primary school – now known as Ysgol Gymraeg Nant Gwenlli – opened as planned in September 2021 in the refurbished former Caerleon Lodge Hill Infant School, and therefore the first element of the agreed proposal was implemented as planned.

However the two remaining elements of the proposal are linked to the new school build planned for the Whiteheads development, a project which is within the Council's Sustainable Communities for Learning Band B programme. Unfortunately, unanticipated delays in the transfer of this piece of land from Welsh Government to the developer and subsequently the Council meant that the work did not progress within the timescales originally proposed. As a result, a Cabinet Member decision report was progressed and approved in February 2022 to modify the implementation dates for the second and third elements of the proposal by one calendar year, to January 2024 and September 2024 respectively.

## **Current Position**

The transfer of the land at Whiteheads to the Council eventually took place in December 2022. This was much later than anticipated and therefore has impacted negatively on the proposed date for delivery of the new school. Whilst the successful contractor was able to start works on site in July 2023, and good progress has been made to date, the revised implementation dates agreed in February 2022 are no longer achievable. A further modification is therefore required in relation to the second and third elements of the original proposal in relation to the relocations and expansions of the two schools.

### *Pillgwenlly Primary School*

Completion and handover of the new school build is now scheduled for December 2024, and therefore it is proposed that Pillgwenlly Primary School will occupy this building from January 2025. Officers from the Education Service have liaised closely with the Headteacher and Governing Body of the school to discuss the impact of this second deferral on learners and the school community. Under the proposal, the capacity of the school for learners of statutory school age will increase from 546 (78 per year group) to 630 (90 per year group). The Learning Resource Base provision will also increase from one class (10 learners) to two classes (20 learners). In order to minimise the impact on the youngest and most vulnerable learners therefore, the following implementation plan has now been agreed:

- To increase the Published Admission Number for the Reception year group to 90 from September 2024, one term in advance of the transfer to the new building, so that the families of these children are not detrimentally impacted by the delay;
- To make provision for the second Learning Resource Base class to open in January 2025, immediately following the move to the new school building, given the need for specialist provision across the City;
- To increase the Published Admission Number for all other year groups from 78 to 90 from September 2025 to reduce the risk of mass migration of learners from other schools across the City midway through the academic year.

### *Ysgol Gymraeg Nant Gwenlli*

There is sufficient capacity at the temporary location to accommodate the school for the period of this latest deferment. However the Executive Headteacher, the Governing Body and the Council share the view that the school needs to move to the permanent site as soon as possible. Whilst capital works will need to be undertaken on the Pillgwenlly site to support the long-term sustainability of the school, it is considered that some works can be programmed to be undertaken after occupation. It is considered appropriate therefore that the relocation of this school takes place from April 2025, at the start of the summer term. The increased Published Admission Number of 60 will be applied for admission to the September 2025 Reception year group onwards. The planned Learning Resource Base provision will also be available from September 2025.

### *School Organisation Act*

Section 55 of the School Organisation Act 2013 confirms that if a proposer is satisfied that a proposal would be unreasonably difficult to implement on the original implementation date, or that circumstances have so altered since the proposal was approved that its implementation on the original date was inappropriate, it may modify the proposal so that its implementation is delayed by up to three years. This latest modification request is therefore permissible within this legislation.

## **Financial Summary**

### Capital

The project is being funded partly through Welsh Government's first *Welsh Medium Capital Grant* (which has already enabled the establishment of the seedling school and will be used to support the refurbishment of the Pillgwenlly Primary School before occupation by Ysgol Gymraeg Nant Gwenlli) and partly through the Council's Sustainable Communities for Learning Band B programme. As such the capital works are being funded jointly by Newport City Council and Welsh Government and are included within the Council's current Capital Programme.

The Welsh Medium Grant amounts to £3.3m. In terms of the Sustainable Communities for Learning Band B element, the current budget, which forms part of the Council's overall programme, stands at £15.8m, including an allocation for net carbon zero works. However, this budget may need to be revised as part of a wider review of the programme, to reflect the final contract price, once known.

### Revenue

The Council's current medium term financial plan (MTFP) has been updated to reflect the revenue impact of this proposal, both in terms of the deferred implementation dates and the expansion in pupil numbers.

	<b>2024/25</b> £	<b>2025/26</b> £	<b>2026/27</b> £	<b>Notes</b>
<b>Ysgol Gymraeg Nant Gwenlli</b>	<b>85,000</b>	<b>207,000</b>	<b>222,000</b>	School Opened September 2021
<b>Pillgwenlly Expansion</b>	<b>45,000</b>	<b>208,000</b>	<b>106,000</b>	Expansion from September 24 LRB from January 25

It should be noted that due to the incremental growth model for Ysgol Gymraeg Nant Gwenlli, the school will not be fully established until 2031/32, therefore the MTFP will need to be updated annually to reflect the revenue impact year on year.

## Risks

It is important to identify and manage any project or scheme's exposure to risk and have in place controls to deal with those risks.

<b>Risk Title / Description</b>	<b>Risk Impact score of Risk if it occurs* (H/M/L)</b>	<b>Risk Probability of risk occurring (H/M/L)</b>	<b>Risk Mitigation Action(s)</b> What is the Council doing or what has it done to avoid the risk or reduce its effect?	<b>Risk Owner</b> Officer(s) responsible for dealing with the risk?
New school build project is delayed	H	L	Building works commenced in July 2023 and good progress has been made to date. The latest programme indicates that the project will be completed and handed over to the Council in December 2024.	Chief Education Officer
Delays in carrying out required refurbishment works	H	L	The Executive Headteacher and Governing Body of Ysgol Gymraeg Nant Gwenlli are already engaged in discussions about the required works, and these are being programmed. There is potential for some works to be undertaken post-occupation, given the current number of pupils on roll.	Chief Education Officer
Funding insufficiency to deliver the project	H	L	The new school build project sits within the Council's Sustainable Communities for Learning programme and therefore funding is secure, and a grant has been awarded for the Pillgwenlly Primary School refurbishment costs. There are no concerns that this grant funding is insufficient, and this money will be prioritised to achieve maximum benefit and reduce backlog maintenance for the school moving forward.	Chief Education Officer

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015

Corporate Plan

Education Service Plan

Welsh in Education Strategic Plan

## Options Available and Considered

Option 1: To modify the latest determined implementation dates in relation to the relocation of both Pillgwenlly Primary School and Ysgol Gymraeg Nant Gwenlli to January 2025 and April 2025 respectively.

Option 2: Not to modify the latest determined implementation dates in relation to the relocation of both Pillgwenlly Primary School and Ysgol Gymraeg Nant Gwenlli, and in doing so fail to implement these elements of the original school reorganisation proposal.

### **Preferred Option and Why**

The preferred option is Option 1. The proposed dates align with the latest programme for completion and handover of the new school building at Whiteheads, and will enable refurbishment of the Pillgwenlly Primary School building prior to Ysgol Gymraeg Nant Gwenlli making the school its permanent site. As a result, elements two and three of the original decision will be modified to confirm that:

- Pillgwenlly Primary School will relocate from its existing site to the new build on the Whiteheads development from January 2025, and;
- Ysgol Gymraeg Nant Gwenlli will move from its temporary site in Caerleon to a permanent location on the site of the current Pillgwenlly Primary school in April 2025.

The new arrangements for expanding the capacity of both schools are referred to in detail on pages 3 and 4 of this report.

### **Comments of Chief Financial Officer**

The Council's capital programme contains budget provision for both the refurbishment of the Pillgwenlly Primary School building and the development of the new school on the Whiteheads site. Any delays in these two schemes may mean that these projects could be subject to additional costs such as inflation, but these will have to be managed within the agreed funding envelope for Sustainable Communities for Learning Band B programme and the Welsh Medium School Grant.

From a revenue perspective, the delay has required an amendment to the Medium-Term Financial Plan (MTFP), with the value of the investment required in 2023/24 reducing and in 2024/25 increasing. Ultimately, this delay will release £290,000 from 2024/25 and require additional funding of £106,000 in 2025/26. This means a net improvement of £186,000 in the Council's medium-term outlook, which will assist in balancing the overall medium term budget position. If this proposal is agreed, the MTFP will be updated accordingly.

### **Comments of Monitoring Officer**

The proposed action to delay the implementation of this school reorganisation proposal is in accordance with the Council's statutory powers under section 55(3) of the School Standards and Organisation (Wales) Act 2013. Following completion of the statutory consultation process, the Cabinet Member has previously approved the school reorganisation proposals to open a new Welsh-medium seedling primary school at a temporary site in Caerleon as from September 2021, relocate Pillgwenlly Primary to the Whiteheads development site at the start of the Spring term 2023, and then transfer the Welsh-medium primary school to Pillgwenlly from September 2023. The proposals have been partially implemented and the new temporary Welsh medium seedling school opened, as planned, in Caerleon in September 2021. However, the remaining proposals cannot be implemented within the original timescales due to delays in the transfer of the land at the Whiteheads site and the commencement of the building work. Section 55(3) of the 2013 Act enables the Council to determine to delay the implementation of any school reorganisation proposals for up to 3 years following the reorganisation proposal where this is unreasonably difficult or inappropriate. As the original timetable is clearly undeliverable, then the Cabinet Member is required to formally agree to a revised determination for implementation of the remaining school reorganisation proposals, with an extended date of January 2025 for the transfer of Pillgwenlly Primary to the Whiteheads development site and a new date of April 2025 for the transfer the Welsh-medium primary school to Pillgwenlly. All the other school reorganisation proposals, and the education reasons for the changes remain the same. In accordance with sections 55(6) and 55(7) of the Act, the Council will require the consent of Welsh Government to delay the implementation dates and there is a requirement to notify the Welsh Ministers and the school governing bodies within 7 days of the Cabinet Member determination.

### **Comments of Head of People, Policy and Transformation**

This report proposes an update to the implementation timescales previously set out for proposal to relocate Pillgwenlly Primary School and establish a new Welsh-medium Primary School on the former site. A fairness and equality impact assessment has been undertaken to inform this proposal and has

been updated in line with the proposed deferment. There is sufficient evidence provided to support the preferred Option 1 update and modification.

The agreed plans will see an increase in staff numbers, providing valuable job opportunities within the organisation and wider community. The new school will offer a range of roles requiring Welsh language skills helping to contribute to the Council's Corporate Plan 2022-27 to ensure that 'our schools and education provide the best possible environments for them to succeed.' And by supporting its four well-being objectives.

There are no implications for current staffing from the preferred option 1. The deferment will delay the expected increase in staffing to support the expansion at the newly relocated Pillgwenlly Primary and Ysgol Gymraeg Nant Gwenlli but will continue to provide valuable job opportunities in the near future.

## **Scrutiny Committees**

None

## **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The Council has a number of legislative responsibilities to assess the impact of any strategic decision, proposal or policy on people that may experience disadvantage or inequality. A Fairness and Equality Impact Assessment (FEIA) was completed to support every stage of the original school reorganisation proposal, and has now been reviewed and updated again to support this request for modification.

The original proposal was undertaken in accordance with the legislation outlined in the statutory School Organisation Code. This Code outlines the key stakeholders that should be consulted with as part of the process. The publication of a statutory notice offered an opportunity for stakeholders to lodge legal objections against the proposal; however, no such objections were lodged. The Headteachers and Governing Bodies of Pillgwenlly Primary School and Ysgol Gymraeg Nant Gwenlli have been engaged in all discussions regarding this deferment and understand and accept that this is the most appropriate solution at this time. Once effective, the decision will be shared with all identified stakeholders within one week of being taken.

The latest FEIA has identified positive and negative impacts on the Welsh Language Protected Characteristic. Whilst the proposal as a whole supports the expansion of Welsh-medium education across the City, it is acknowledged that demand is not likely to escalate significantly whilst the school remains at its temporary site. Specific targeted promotional activities are being explored in an attempt to avoid this and support increased applications for the school.

There are also both positive and negative impacts in relation to two other Protected Characteristics: Disability and Race. In terms of Disability, the Council is committed to providing Learning Resource Base (LRB) facilities in all new school builds as this supports a more inclusive approach for pupils with additional learning needs. A new 10-place facility will be established within Ysgol Gymraeg Nant Gwenlli when it relocates to its permanent site. There is currently no such provision within the other Welsh-medium primary schools across Newport. Due to the delay in moving to the permanent location, the establishment of this provision will be delayed until September 2025. In terms of Race, it is recognised that families who speak English as a second language are comparatively under-represented in Welsh-medium education. This presents a positive opportunity to encourage a bilingual education amongst these communities.

The permanent location for Ysgol Gymraeg Nant Gwenlli is in an area where a significant number of families that speak languages other than English reside. The delay in relocating Ysgol Gymraeg Nant Gwenlli could have an impact on pupils within the Pillgwenlly area that would like to apply for a Welsh-medium school place without travelling across the City. This will be a focus of future promotional work and activities. The FEIA also outlined a positive impact on the Pregnancy or Maternity Protected Characteristic, as for expectant parents, it is anticipated that an additional Welsh language medium school will have a positive impact on the education choices available locally.

The sustainable development principle and 5 ways of working set out in the Wellbeing of Future Generations Act have been considered as outlined below:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long-term needs. **Formally deferring the relocation dates for both schools will allow sufficient timescales for the new school build project to be completed and handed over, and will enable vacant refurbishment of the Pillgwenlly Primary School building prior to Ysgol Gymraeg Nant Gwenlli making the school its permanent site. There is sufficient space at the temporary location to accommodate Ysgol Gymraeg Nant Gwenlli during the deferral period. Demand for places in both schools will continue to be managed by the School Admissions Team.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives. **This decision will ensure that the original proposal can be fully implemented as planned, albeit at a later date than was originally anticipated. The Council is mitigating the impact of the delayed implementation by supporting the early implementation of the new Published Admission Number for Pillgwenlly Primary School to support the September 2024 Reception cohort.**
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies. **This proposal supports the “A prosperous Wales”, “A more equal Wales” and “A Wales of cohesive communities” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”, and the Wellbeing of Future Generations Act’s Wellbeing Goal to create a Wales of vibrant culture and thriving Welsh Language.**
- Collaboration: have you considered how acting in collaboration with any other person, or any other part of our organisation could help meet our wellbeing objectives. **A formal statutory consultation was carried out with the opportunity to engage with all stakeholders and was supported by a FEIA at each stage to consider impact. The proposal has been developed in response to representations from a range of stakeholders including the Newport Welsh Education Forum. A Cylch Meithrin (Welsh-medium playgroup) opened in the Caerleon area in September 2021 to help promote and encourage uptake at Ysgol Gymraeg Nant Gwenlli. The Council is working with partners to find ways that this provision can remain in Caerleon to boost Welsh-medium uptake in the area in the long term.**
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals and ensuring that those people reflect the diversity of the City we serve. **The original proposal was supported by a formal statutory consultation with a FEIA carried out at each stage to consider impact. This latest modification request has been discussed with the Headteachers and Governing Bodies of both schools and the Welsh Education Forum, and all parties are supportive of this as the preferred way forward.**

## **Crime and Disorder Act 1998**

Not applicable



## **Consultation**

The original school reorganisation proposal was subject to a full programme of stakeholder engagement as required under the statutory School Organisation Code. Pupils, staff and governors at both schools will be invited to contribute to the school build and refurbishment projects as they progress.

## **Background Papers**

Cabinet Member Report – February 2022

FEIA

**Dated: 3 November 2023**