



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018/19

SPECIAL OVERVIEW & SCRUTINY COMMITTEE

REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES & COMMUNICATION

3rd APRIL 2019

21ST CENTURY SCHOOLS PROGRAMME – PROPOSALS TO REORGANISE PRIMARY SCHOOLS, SECONDARY SCHOOLS AND SIXTH FORM PROVISION IN THE GREATER PONTYPRIDD AREA

1. **MEMBERS WILL FIND ENCLOSED:**

Appendix A – Copy of the Cabinet Report (Pages 9-344)

Appendix B - Copy of the Cabinet Decision Notice (Pages 345-349)

Appendix C – Copy Extract of Overview and Procedure Rules re: Call-in
(Pages 351-354)

Appendix D - Copy of Prescribed Call-in Forms (Pages 355-360)

2. **RECOMMENDATIONS:**

- 2.1 To follow the procedure for the conduct of the meeting as set out in paragraph 4.1 below;
- 2.2 To determine whether to refer the matter back to the Cabinet for reconsideration.

3. **BACKGROUND**

- 3.1 On the 21st March 2019, a meeting of Cabinet was held and consideration was given to the report 21st Century Schools Programme (Copy of the report is attached as Appendix A)

- 3.2 The Cabinet decision in respect of the above was published on the 21st March 2019. (Copy of the decision is attached as Appendix B.)
- 3.3 Rule 17 of the Overview and Scrutiny Procedure Rules dealing with call-in is reproduced as Appendix C of this report.
- 3.4 Two call-in forms were received, one on the 22nd March 2019, the second on the 25th March 2019, which complied with the relevant criteria. (A copy of the prescribed call in forms are attached as Appendix D)
- 3.5 Members will note that the Call-In Provisions were changed at the Council's Annual General Meeting in May 2014, to enable any 3 Non-Executive Members (from either (i) at least 2 political groups or (ii) in the case of an unallocated Member(s) – that unallocated Member(s) and a Member(s) from a political group).

4. PROCEDURE

- 4.1 Each case for Call-in must be considered on its merits and the procedure for the conduct of the meeting will be in accord with the Overview and Procedure Rule 17.1B, as shown below:-

17.1 Procedure at call-in meetings held under Rule 17.1

- (1) Declarations of interest (including whipping declarations);
- (2) Welcome by Chair outlining reason for the call-in meeting as per details recorded on the notice call-in form viz:-
 - (i) "Over reliance on the closed consultation with students at the Coleg Cymoed officer conducted consultation that lacked consistency or reference to the reliability of the comments made that could also be construed as making unfounded allegations of poor performance of individuals employed in Pontypridd Secondary Schools. Which in turn could have led cabinet members into making decisions on unwarranted and unfounded reports without allowing any appropriate opportunity for those individuals highlighted in those consultation responses or schools the opportunity to respond. The total disregard of the employment issues raised surrounding the provision and performance of employees within this consultation response. And the misrepresentation of the provision and performance of the 6th form data relating to the collaboration between Pontypridd and Hawthorn High Schools including the financial considerations therein.
 - (ii) The use of consultation methodology that did not maximise resident's ability to fully engage with the process, and the cabinet report that did not fully reflect the weight of opinion and full range of views of respondents; subsequently reducing the ability to make a fully reasoned decision.

- (iii) The Cabinet introduced and relied on spare capacity in other Welsh medium schools that are not within the catchment of North Pontypridd in reaching their decision, including Abercynon, though this was not part of the proposal published by the Council nor consulted upon”.
- (3) Chair to invite the three Members, namely County Borough Councillors M. Powell, M Fidler Jones and H Fychan, who have signed the notice of call-in form relating to the **21st Century Schools Programme – Proposals to reorganise Primary Schools, Secondary Schools and Sixth Form Provision in the Greater Pontypridd Area** to present their submissions to the Overview and Scrutiny Committee as to why they consider the relevant decision should be referred back to the decision maker for reconsideration, having regard to the reasons set out in the ‘notice of call-in form.
- (4) Chair to invite relevant Director(s) to respond.
- (5) Chair to give any Cabinet Member(s) present the opportunity to address the Committee.
- (6) Chair to invite any other Members of the Committee to speak (and with the Chair’s permission any non-Committee Members present, who are eligible to attend, and wish to speak).
- (7) If necessary, the Chair to invite any relevant Director/Cabinet Member present to respond to a Member’s question.
- (8) Chair to invite one of the three signatories to the call-in to make a final address to the Committee membership.
- (9) Chair to put the matter to the vote.
- (10) Legal Officer present to summarise the effect of the Committee’s decision in accordance with Overview and Scrutiny Procedure Rules 17.1(e) and 17.1(f) and thereafter communicate the Committee’s decision to the Secretary to the Cabinet.
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- (1) Declarations of interest (including whipping declarations);
- (2) Welcome by Chair outlining reason for the call-in meeting as per details recorded on the notice call-in form viz:-
- “The Cabinet failed to adequately discharge its duties under the provisions of the Welfare of Future Generations (Wales) Act 2015, as evidenced by:
1. Its failure, in deciding to close Cilfynydd Primary School and move its pupils to the site of Pontypridd High School, to consider adequately or at all, the extensive scientific literature drawing attention to the short term and long term adverse health outcomes faced by persons spending a considerable proportion of their day in close proximity to a busy and heavily polluted road such as the A470.
 2. Its failure to justify adequately or at all the decision to create “all-through” schools for 3 to 16 year-olds at Pontypridd High School and at Hawthorn High School. Such failure is evidenced by (among other things) the fact that the

Cabinet were unable to refer to any independent evidence from the academic literature to show that such all-through schools are a better model than the current model of primary and secondary schools, despite such all-through schools existing in the various nations of the United Kingdom for a number of years.

3. Its failure to consider adequately or at all its obligations arising from the commitment of the United Kingdom and other governments to the goals of the Paris 2015 Climate Accord, and the dire warnings of the Intergovernmental Panel on Climate Change of 8th October 2018 to the effect that humanity has, at best, until 2030, to change its ways and reduce carbon dioxide emissions. No better example of “business-as-usual” is afforded than the Cabinet’s decision to approve a plan which will increase road traffic and therefore carbon dioxide emissions. Such an increase will occur by virtue of (among other things):
 - (a) Greater distances to travel to school on foot by younger pupils in villages like Cilfynydd, making travel by car more likely, especially during bad weather;
 - (b) Greater distances to travel to school by road by virtue of the decision to abolish Sixth Form education provision at Pontypridd High School and at Hawthorn High School.
 4. The failure of the Cabinet to consider adequately or at all the possible increase in social exclusion of lower income families, especially those without the use of a car, to attend and participate in after-hours activities at schools, or to access socially essential provisions such as school breakfast clubs.
 5. The failure of the Cabinet to consider adequately or at all whether school attendance might reasonably be expected to be adversely affected by a combination of longer distances to travel and inclement weather”.
- (3) Chair to invite the three Members, namely County Borough Councillors S. Belzak, L. Hooper and M. Diamond, who have signed the notice of call-in form relating to the **21st Century Schools Programme – Proposals to reorganise Primary Schools, Secondary Schools and Sixth Form Provision in the Greater Pontypridd Area** to present their submissions to the Overview and Scrutiny Committee as to why they consider the relevant decision should be referred back to the decision maker for reconsideration, having regard to the reasons set out in the ‘notice of call-in form.
 - (4) Chair to invite relevant Director(s) to respond.
 - (5) Chair to give any Cabinet Member(s) present the opportunity to address the Committee.
 - (6) Chair to invite any other Members of the Committee to speak (and with the Chair’s permission any non-Committee Members present, who are eligible to attend, and wish to speak).

- (7) If necessary, the Chair to invite any relevant Director/Cabinet Member present to respond to a Member's question.
 - (8) Chair to invite one of the three signatories to the call-in to make a final address to the Committee membership.
 - (9) Chair to put the matter to the vote.
 - (10) Legal Officer present to summarise the effect of the Committee's decision in accordance with Overview and Scrutiny Procedure Rules 17.1(e) and 17.1(f) and thereafter communicate the Committee's decision to the Secretary to the Cabinet.
- 4.2 If the proposal to refer the matter back for reconsideration is passed then the matter will be referred: If the proposal is lost then the decision will take effect from the conclusion of this meeting.
- 4.3 The relevant Cabinet portfolio holder(s) will be invited to the meeting to answer any questions Members of the Committee may have with regards to the subject matter of the call in.

