

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting:	9 NOVEMBER 2021
Scrutiny Member:	Councillor Beth Lawton, Chair of the Education and Economy Scrutiny Committee
Contact officer:	Vera Jones – Democracy and Language Services Manager
Contact Number:	32267
Subject:	Referral back to the Cabinet by the Education and Economy Scrutiny Committee – Cabinet Decision on 28/09/21, Item 8: Ysgol Abersoch

THE DECISION SOUGHT

That the Cabinet reconsiders its decision on the grounds of concern by the Education and Economy Scrutiny Committee that a sufficient response had not been received to the second reason for calling in, namely: -

“2. The report does not take future Housing and Employment that would come to force in the village into consideration

(a) A new development to construct a new hotel that would create a minimum of 40 full-time posts in the area - employees and their families would need resources, including education for our children.

(b) Welsh Government, Gwynedd Council's Housing and Property Department and a Housing Association (which owns land in the village) are currently exploring the potential to construct more homes - Welsh Government has stated that a grant is available to develop this land to potentially construct 15 homes.

The Housing Association has confirmed that plans have already been drawn up for the Bryn Garmon site.

There is no mention in the report of the new plan by the Housing and Property Department and nothing about the developments under-way in the village and therefore, by not doing so, the Education Department has

not responded to the requirements of the Well-being of Future Generations Act.

REASONS FOR THE NEED FOR A DECISION

In accordance with section 7.25 d of the Council's constitution:

“If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred to the decision maker they shall then reconsider within a further 15 clear working days, amending the decision or not, before adopting a final decision.”

INTRODUCTION AND RELEVANT CONSIDERATIONS

BACKGROUND

1. The Cabinet's decision regarding Item 8: Ysgol Abersoch, at the meeting held on 28/09/21, was called in for scrutiny by the Education and Economy Scrutiny Committee. That decision was:-

“To finally confirm the proposal issued through statutory notice to close Ysgol Abersoch on 31 December 2021, and to provide a place for the pupils at Ysgol Sarn Bach from 1 January 2022 in accordance with Section 53 of the School Standards and Organisation Act (Wales) 2013 and the requirements of the School Organisation Code 011/2018.”

2. This request, in accordance with Section 7.25 of the Council's Constitution, was made by Councillors Beth Lawton (Chair of the Scrutiny Committee), Alwyn Gruffydd and Elwyn Jones within the necessary requirements and timeframe.
3. The reasons for calling in, namely the aspects of the decision that were considered should be scrutinised, were noted as follows:

“1. The report is inaccurate and misleading in terms of the impact on the community, for example, the Welsh language and culture - it states that there is no impact on the language in the table on page 714.

2. The report does not take future Housing and Employment that would come to force in the village into consideration

(a) A new development to construct a new hotel that would create a minimum of 40 full-time posts in the area - employees and their families would need resources, including education for our children.

(b) Welsh Government, Gwynedd Council's Housing and Property Department and a Housing Association (which owns land in the village) are currently exploring the potential to construct more homes - Welsh Government has stated that a grant is available to develop this land to potentially construct 15 homes.

The Housing Association has confirmed that plans have already been drawn up for the Bryn Garmon site.

There is no mention in the report of the new plan by the Housing and Property Department and nothing about the developments under-way in the village and therefore, by not doing so, the Education Department has not responded to the requirements of the Well-being of Future Generations Act.

3. Concern has been stated in relation to the footpath between Abersoch and Sarn Bach; the Education Department stated that contact had been made with the Highways Department but nothing definite has been submitted in terms of resolving this risk which places pupils at risk. The Education Department mentions transport arrangements which will inevitably have an effect on climate and is a poor example to the children of how the Council considers climate impact.

4. One child is ineligible for the offer of transport due to age policies - in future, when the number of children increases as a result of (a) and (b), it is likely that other children will be refused this transport and, therefore, suffer in terms of their education.

5. The decision is to close the school in the middle of the academic year and there is no doubt that this will be confusing for the children. Again, this will have a negative impact on their education and there is no explanation why and what is the logic here.”.

4. A meeting of the Education and Economy Scrutiny Committee was held on 21st October 2021. The members of the scrutiny Committee decided:

That the scrutiny committee refers the matter back to the Cabinet for reconsideration on the grounds that a sufficient response had not been received to the second reason for calling in, as noted and highlighted in point 3 (2) above.

The matter was referred back to the Cabinet as concern was expressed that full consideration had not been given to the potential impact of proposed developments on the projection figures for Ysgol Abersoch before reaching a decision.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

VIEWS OF THE STATUTORY OFFICERS

The Monitoring Officer:

The report traces the Process which was followed following a call in request in request under Part 7.25 of the Constitution. The Education and Economy Scrutiny Committee determined that the mater should be referred back to the Cabinet for re-consideration of the decision made on the 28th of September 2021. In accordance with the provisions of the Constitution this decision has been suspended from implementation until the call in process has been completed. The Scrutiny Committee has noted the matters it wished the Cabinet to consider.

The Cabinet needs to give careful consideration to the opinion of the Scrutiny Committee and whether or not it needs to amend the decision. However, the decision on the response to the Scrutiny Committee recommendations remains a Cabinet decision as to whether it should confirm the statutory notice in relation to Ysgol Abersoch in accordance with Section 53 of The School Standards and Organisation (Wales) Act 2013. Therefore in reviewing its original decision it remains a mater which needs to be assessed within the framework of considerations and requirements which are relevant to it. In the same way the recommendations of the Scrutiny Committee have to be placed in this context. This is solely a decision for the Cabinet. This will be the final decision.

Head of Finance:

The reason for asking the Cabinet to re-consider its decision on 28/09/2021 does not change the current budgetary situation. The reasons for closing Ysgol Abersoch on 31 December 2021 remain, including the creation of an annual saving of £96,062 in revenue costs, and it is emphasised again that the cost per pupil is £17,404 at Ysgol Abersoch compared to a county average of £4,198. Even if the developments that are referred to in the report above are realised, leading to an increase in the number of pupils in the school, there is no compelling evidence that any such increase would be sufficient to make a significant change to this fundamental situation.

I continue to support the Cabinet's decision at its meeting 28/09/2021."

Appendices

- APPENDIX 1 Education and Economy Scrutiny Committee Decision Notice (21/10/21)
- APPENDIX 2 Education and Economy Scrutiny Committee papers (21/10/21) that include
 - APPENDIX 2a Cover report
 - APPENDIX 2b The Education Department's response to the aspects of the decision that were scrutinised
 - APPENDIX 2c Cabinet Decision Notice on 28/09/21, Item 8
 - APPENDIX 2d Cabinet Report on 28/09/21, Item 8