

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

16 FEBRUARY 2016

REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND TRANSFORMATION & CORPORATE DIRECTOR - COMMUNITIES

SCHOOL MODERNISATION PROGRAMME: PROPOSAL TO CONSULT ON APPROPRIATION OF LAND FOR EDUCATIONAL PURPOSES AT BETTWS ROAD, BETTWS

1. Purpose of Report

- 1.1 To consider the appropriation of land for educational purposes at Bettws Road, Bettws that currently forms part of an open space.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 The school modernisation programme supports many of the corporate priorities and in particular:

- Working together to raise ambitions and drive up educational achievement

- 2.2 In 2006, Cabinet considered a report entitled '*Learning Communities: Schools of the future – Strategy, Principles, Policy and Planning Framework*' and agreed to support the report as the basis for taking forward proposals for school modernisation. The framework was subsequently adopted by the Council in September 2006 ('*Learning communities – schools of the future – strategy, principles, policy and planning framework*').

- 2.3 On 3rd March 2015, Cabinet approved revised principles which were adopted as a framework for school organisation in Bridgend (Cabinet Report 3rd March 2015 '*Principles Document*')

- 2.4 The framework includes 5 key principles that inform the organisation and modernisation of our schools:

1. Commitment to high standards and excellence in provision
2. Equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend
3. Inclusive schools, which cater for the learning needs of all their pupils
4. Community focused schools, where the school actively engages with its local community
5. Value for money

Particularly relevant to this report are 1 and 5. The framework provides that primary schools need to be large enough to secure the full range of necessary provision and that value for money and efficiency are achieved.

3. Background

- 3.1 The land hatched in red in Appendix 1 was acquired by the former Ogmores & Garw Urban District Council on 13 December 1957. An agreement was reached in late 1969 / early 1970 between Ogmores & Garw UDC and Glamorgan County Council that the land be developed for joint use by both Authorities as playing fields.
- 3.2 Council records indicate that Betws Primary School has had exclusive use of the open space during school hours for school activities since 1970.
- 3.3 The council's Parks Department have inspected and maintained the play equipment located within the land shown hatched red on the attached plan and Betws Primary School has maintained the playing fields.

4. Current situation / proposal

- 4.1 On 31st March 2015 Cabinet agreed to proceed with a replacement of Betws Primary School on the playing fields of the existing school site. On 1st September 2015 Cabinet approved the proposal to relocate Ysgol Gynradd Gymraeg Cwm Garw to the existing Betws Primary School site with effect from September 2018.
- 4.2 A planning application for the new schools (reference P/15/791/BCB) was submitted on 25th November 2015 that encompassed both the existing primary school site and the adjacent school playing fields and open space. As part of the planning process an objection has been received to the proposed loss of public open space.
- 4.3 Due to the existing dual use of the land, as playing fields and public open space, appropriation of the land under Section 122 (1) Local Government Act 1972 for educational purposes is recommended by the Council's legal officer, as the land is currently used for educational purposes during the school day, and informal recreational space outside school hours.
- 4.4 Section 122(2A) of the Local Government Act 1972 provides that the council may not appropriate land forming part of an open space unless it has advertised its intention to do so in two consecutive weeks in a newspaper circulating in the area.
- 4.5 It is recommended that Cabinet approve the publication of the Section 122 (2A) Notice and consider any objections received, prior to any decision to appropriate the land for educational purposes.

5. Effect upon Policy Framework and Procedure Rules.

- 5.1 There is no effect upon the policy frameworks or procedure rules.

6. Equality Impact Assessment

- 6.1 There are no implications considered at this stage of the process however, should the outcome of the procedure indicate that there is a potential impact, then an assessment will be undertaken which will be informed by the responses received.

7. Financial Implications

- 7.1 Any costs associated with the publication of the notice will be met by the Education Department's revenue budget.

8. Recommendations

Cabinet is recommended to:

- 8.1 Approve the publication of a S122(2A) Local government Act 1972 Notice and consider any objections received, in order to assess whether land forming part of an open space at Bettws Road, Bettws should be appropriated for educational purposes.

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Appendix 1

Plan

Background documents

Council Report 13th September 2006, "LEARNING COMMUNITIES – SCHOOLS OF THE FUTURE – STRATEGY, PRINCIPLES, POLICY AND PLANNING FRAMEWORK".

Cabinet Report 12th December 2006, "LEARNING COMMUNITIES: SCHOOLS OF THE FUTURE" – SCHOOL MODERNISATION PROPOSALS.

Cabinet Report 3rd March 2015 "PRINCIPLES DOCUMENT"

Cabinet Report 31st March 2015 "SCHOOL MODERNISATION PROGRAMME: GARW VALLEY SOUTH SCHEME (BETWS PRIMARY AND YSGOL GYNRADD GYMRAEG CWM GARW)"

Cabinet Report 1st September 2015 “SCHOOL MODERNISATION PROGRAMME: OUTCOME OF PUBLIC NOTICE ON PROPOSAL TO MAKE A REGULATED ALTERATION TO YSGOL GYNRADD GYMRAEG CWM GARW BY RELOCATING THE SCHOOL”