

THE VALE OF GLAMORGAN COUNCIL
REQUEST FOR THE USE OF EMERGENCY POWERS –
CORONAVIUS PANDEMIC

SUBJECT: Expansion of Ysgol Sant Baruc

1. **Originating / Department / Service –**

Learning and Skills – Strategy, Community Learning and Resources.

2. **Reason for Seeking Emergency Powers –**

The Vale of Glamorgan Council secured a 210-place primary school and a nursery, together with ancillary facilities, on land at Barry Waterfront, via a Section 106 Agreement (dated 02/03/2012) (as amended) (planning ref: 2009/00946/OUT). The Consortium of developers for Barry Waterfront are required to construct the school upon a circa. 1.5 ha site which they own on the Waterfront, and then transfer the new school and site to the Council upon completion.

On 29 July 2019, the Vale of Glamorgan Council's Cabinet approved the proposal to expand Ysgol Sant Baruc from 210 places to 420 places from September 2021 in accordance with the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018. ([Cabinet minute C64](#))

In order to accommodate the increased capacity, it is proposed that Ysgol Sant Baruc will relocate to the new school building constructed on the Barry Waterfront development. The Council has agreed with the Consortium that they will deliver the new two-form entry primary school. The Council has agreed to provide 0.5 ha additional land, in order to accommodate the expansion to a two-form entry school.

The Council must pay the difference to the Consortium for them to build the enlarged 420 place primary school and nursery (difference between a one form entry and two form entry school) and cover any expenses relating to the Council's own land.

Following a number of negotiations, an agreement has been reached with the Consortium and on 8 June 2020, the Managing Director approved the agreement between the Council and the consortium of developers using the emergency powers procedure. ([EP COVID-19 73](#))

Due to the delay in reaching this agreement with the Consortium, construction of the school building will not be completed for September 2021.

It is recommended that the proposal to increase the capacity of Ysgol Sant Baruc from 210 places to 420 places is amended to September 2022 in accordance with Section 55 of the School Standards and

Organisation (Wales) Act 2013. Construction of the school building would be completed in time for the revised implementation date

The Council has reviewed demand for Welsh medium primary school places and is satisfied that there is sufficient capacity to meet demand for the September 2021 intake.

The Council consulted upon and determined admission arrangements for 2021/2022 that indicated an admission number of 60 for Ysgol St Baruc. The proposed admission number was subject to the implementation of the proposal to expand Ysgol St Baruc from 210 places to 420 places taking place for September 2021. As the proposal to expand the school will not proceed for 2021/22, the school will revert to its capacity of 210 places with an admission number of 30 for September 2021.

3. Policy Framework and Budget –

PLEASE INDICATE as appropriate that the matter that you are seeking the use of Emergency Powers for is a Cabinet or Council function.

Cabinet

Council

4. Relevant Scrutiny Committee –

Learning and Culture

IMPORTANT

The following sections **must** be completed **prior** to the request being submitted to the Democratic and Scrutiny Services Section for processing.

I confirm (delete as appropriate)

(a) That there are no financial implications and the relevant Cabinet Member, Leader and / or the Deputy Leader has been consulted and is in agreement with the use of Emergency Powers; **or**

~~(b) That, in view of the financial commitments, the Head of Financial Services, the appropriate Chief Officer, the relevant Cabinet Member, Leader and / or Deputy Leader have been consulted and are in agreement with the use of the Emergency Powers and that~~

~~(c) For matters relating to the Planning Committee the Chairman of the Planning Committee has also been consulted and is in agreement with the use of Emergency Powers;~~

~~(d) For matters relating to the Licensing Committee the Chairman of the Licensing Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(e) — For matters relating to the Welsh Church Act Estate Committee the Chairman of the Welsh Church Act Estate Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(f) — For matters relating to policy the relevant Scrutiny Committee Chairman has been consulted and is in agreement with the use of Emergency Powers.~~

Signed: Trevor Baker
(Instructing Chief Officer)

Date: 29 June 2020

Please print name: Trevor Baker

I hereby approve under my Emergency Powers the attached recommendation(s) on behalf of the Cabinet / Cŵnneil (please delete as appropriate).

Signed: D.R. Thomas.....**Date:** 4th July 2020.....
Managing Director

NB Should the relevant portfolio Cabinet Member be unable to be consulted only the Leader and / or Deputy Leader be consulted in their absence.

N.B. Cabinet: 23rd March, 2020 Minute No. 295