

21st Century Schools Objection Report

TRINITY FIELDS SCHOOL AND RESOURCE CENTRE



Proposal : **Expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space with an anticipated completion date of September 2023**

Formal Statutory Objection Period : 11th January 2021 – 7th February 2021

This report is published in line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018.



Ysgolion a Cholegau yr 21ain Ganrif
21st Century Schools and Colleges



Llywodraeth Cymru
Welsh Government

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INTRODUCTION

Executive Summary

Caerphilly County Borough Council aspires to continue to raise school standards and improve the quality of the learning environment to create fit-for-purpose 21st century schools and give every child in Caerphilly the best possible start in life.

Trinity Fields School and Resource Centre has been identified as one of the first priority projects for the 21st Century Schools and Colleges Band B programme in the Borough.

At their remote meeting held on the 9th December 2020, Council Cabinet agreed the proposal to progress to Statutory Notice phase, in-line with the School Organisation Code 2018 in relation to:

- **Expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space with an anticipated completion date of September 2023**

In accordance with the Council's Constitution, the aforementioned decision was subject to a challenge process. The decision notice was circulated to all Members and appropriate officers. The executive decision came into force at 5pm on Monday 14th December 2020. Please note that this decision was not 'challenged'.

Statutory Obligations

This report is published in line with the requirements of the [School Standards and Organisation \(Wales\) Act 2013](#) and the [School Organisation Code 2018](#).

Purpose of the Objection Report

In accordance with the School Organisation Code 2018, the Council must publish a summary of the statutory objections and the Council's responses to those objections ("the Objection Report"). The purpose of the Objection Report is to provide Cabinet with the necessary information to make an informed decision through reflection, review and assessment as to whether to implement the proposal.

The Report is divided into several sections with the aim to:

- Outline the Statutory processes undertaken
- Provide clarification in relation to the information provided and consultee engagement
- Summarise each of the Statutory Objections raised by consultees
- Respond to the Objections raised by means of clarification, with supporting reasons

Full details of the decision making process and the stages of the proposal as outlined in the School Organisation Code 2018 have been published as part of the Consultation Documentation and are publicly available via the Council's website with hardcopies made available on request.

PROPOSAL

What are we proposing to do?

As outlined in the [Consultation Document](#) and [Consultation Report](#), both of which have been published and are available via the Council's website or in hardcopy on request, Caerphilly County Borough Council (CCBC) has embarked upon an exciting but challenging journey of improvement and change.

Schools in Wales need to be in good condition and suitable for the delivery of education. In some cases, schools can be modernised, repaired, refurbished, extended, or partially rebuilt to meet the standards needed for contemporary teaching and learning. However, some existing schools are no longer in the right place and in such cases, we might propose new schools or changes to existing schools.

The 21st Century Schools and Colleges programme is a major, long-term, strategic capital investment programme. It is jointly funded by the Welsh Government and local authorities and aims to create a generation of 21st century schools in Wales with the priority areas being:

- Reduce the number of poor condition schools
- Ensure that we have the right size schools in the right location
- Provide enough places to deliver Welsh and English medium education
- Ensure the effective and efficient use of the educational estate

We are proposing to:

- **Expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space with an anticipated completion date of September 2023.**
 - The proposed new building will provide additional facilities to accommodate growing demand for places and provide additional classrooms, specialist intervention areas and outdoor play space.
 - It is proposed the additional facility will also house a new flexible hall, hydrotherapy pool and soft play facilities to increase provision on site which will also be considered for community use at suitable times in keeping with the curriculum timetable.
- To ensure that it can cater for the changing and more complex needs of pupils with Additional Learning Needs (ALN) across the Council, both now and in the future and ensure compliance with the new Additional Learning Needs and Education Tribunal (Wales) Act.



STATUTORY PROCESS AND DECISION MAKING

The Statutory Process

The School Organisation Code 2018 is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 and applies to proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school. This does not include pupil referral units (PRUs).

The School Organisation Code 2018, provides clear statutory guidance as to the processes that need to be adhered to and the stages to follow:

1) Changes that require a proposal

- Identifying the proposal
- Development of proposal

2) Consultation

- Publishing a Consultation Document
- Notification letter sent to stakeholders (as prescribed by the code)
- Undertaking a consultation exercise
- Consultation with children and young people
- Publishing a Consultation Report
- Notification letter sent to stakeholders

3) Publication of Statutory Proposals

- Publishing a Statutory Notice
- Notification letter sent to stakeholders

4) Determining Proposals

- Publishing an Objection Report
- Notification letter sent to stakeholders
- Approval by Local Authority or Welsh Minister (dependent on nature of proposal)
- Decision Notification
- Notification letter sent to stakeholders

5) Implementing Proposals

- Carrying out agreed actions

The planning and development of effective school organisation proposals is crucial to the Welsh Government's goal of transforming education in Wales and providing better educational outcomes. The aim is to ensure that proposals support the Welsh Government's commitment to increase school effectiveness, and narrow inequalities in achievement between advantaged and disadvantaged areas, groups and individuals.

When formulating a proposal, there is a need to clearly identify the reasons for formulating the proposal. Factors to be taken into account in preparing, publishing, approving or determining school organisation proposals include Quality and Standards in Education, the need for places

and impact on accessibility, resourcing of education and other financial implications. These factors are outlined in the [Consultation Document](#) and further addressed in the [Consultation Report](#).

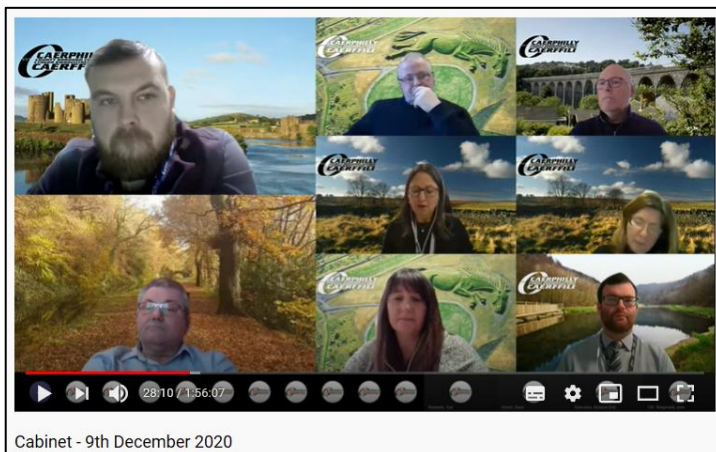
Cabinet Response to Consultation Report

A digital meeting via Microsoft teams took place on Wednesday 9th December 2020 at 5.30pm.

As part of this meeting, the 21st Century Schools and Colleges Band B Programme and consultation in respect of Trinity Fields School and Resource Centre was discussed. All Consultation Documentation was made available to members as part of the agenda reports pack including the [Consultation Report](#) and original responses in the format received from all parties within the consultation period which ran from the 14th September to the 26th October 2020. Officers linked to the proposal were available to take questions.

It was noted that the matter was previously considered by Education Scrutiny Committee on the 26th November 2020 at which the recommendation to proceed to the Statutory Notice stage was agreed.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded. Cabinet Members voted unanimously *‘that for the reasons contained in the Officers Report to Cabinet, agree the proposal to progress the project to the Statutory Notice phase, in-line with the School Organisation Code 2018.’*



A recording of the session is available on YouTube: [Cabinet – 9th December 2020](#)

The agenda item linked to the 21st Century Schools proposals start at 28 minutes in to the recording.

The [Notice of Cabinet Decisions](#) document is also available to view on the Council’s website.

Decision Making

Progression at each stage is subject to scrutiny, review and approval by Cabinet Members and in addition, Welsh Government are engaged in the process as one of the key delivery partners and co-funders.

When approving proposals, Cabinet must:

- consider whether there are any other related proposals
- ensure that the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals relating to Pupil Referral Units)
- ensure that the proposal has been published in accordance with the Code and the notice contains all the required information
- consider the [Consultation Document](#) and [Consultation Report](#)
- consider the objections and the objection report and any responses to the notice supporting the proposals

This Objection Report has been produced as the next stage in the process following the Statutory Objection Period as defined by the School Organisation Code 2018. This Objection Report will be subject to initial scrutiny as part of discussions at an Education Scrutiny Committee meeting whereby Members will be asked to note the information contained in the Objection Report and to seek views on the recommendations made within this the Objection Report prior to consideration by Cabinet on 7th April 2021.

Cabinet will then make the final determination relating to the proposal and decide whether or not to proceed to implementation as recommended. Full details are outlined in the [‘Next Steps’](#) section.

STATUTORY NOTICE

Statutory Notice - Consultation Process

The consultation process has followed the Welsh Government requirements as set out in the School Organisation Code 2018.

As the proposal relates to a ‘regulated alteration’ to a Special school under Section 44 of the School Standards and Organisation (Wales) Act 2013, the proposals have been published on the Council’s website.

Following the decision by Cabinet outlined above to proceed to Statutory Notice, anyone wishing to make an objection to this proposal was able to do so. To be considered as a statutory objection, objections had to be made in writing or by email and sent to the Council within the 28 days of the date on which the proposal was published. This is referred to as the “objection period” and ran from the 11th January 2021 to the 7th February 2021.

Statutory Notice - Consultation Information

The School Organisation Code 2018 states that when undertaking a consultation process in connection with a school proposal, the Council must publish information to enable transparent, balanced and open decision making.

The Statutory Notice was published on a school day and consultees were given 28 days to respond to the document, with at least 15 of these being school days as defined by Section 579 of the Education Act 1996. The objection period opened on Monday 11th January 2021 (a school day) and concluded at midnight on Sunday 7th February 2021.

Notices were published on the 11th January 2021 as follows:

- On the [council website](#)
- On or near the main entrance of the school which was subject to the proposal
- The school was provided with hardcopies of the Statutory Notice to distribute to pupils, parents/carers and staff.
- Prescribed consultees as listed in the School Organisation Code 2018 were notified in writing via email/letter
- Social Media Messages were released on Facebook and Twitter to advise of the publication of the Notice and direct interested parties to the Council website

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request.

Stakeholder Engagement

Consultees were advised of the proposal and availability of the Statutory Notice and all prior documentation published relating to the proposal, when it went live on the 11th January 2021 via letter/email and were therefore invited to take part in this stage of the statutory consultation.

The School Organisation Code 2018, prescribes those individuals/groups considered key consultees in the consultation process. As per section 4.1 of the code, the list below presents the consultees engaged with relevant to proposals of this nature for the Caerphilly Borough.

- Parents, prospective parents, guardians and carers of all pupils of schools directly affected by the proposal
- Headteacher, staff and governors of schools directly affected by the proposal
- Pupils/Pupil Councils of schools directly affected by the proposal
- Directors of Education of all bordering LAs – Blaenau Gwent, Caerphilly, Cardiff, Merthyr Tydfil, Newport, Powys, Rhondda Cynon Taf, Torfaen
- Catholic Diocesan Board of Education
- Church in Wales Diocesan Board
- Local Standing Advisory Council on Religious Education (SACRE)
- Governing body of other schools which the proposer considers are likely to be affected by the proposal
- Local CCBC Members
- All Assembly Members and Members of Parliament representing the area served by the schools directly affected by the proposal
- Welsh Ministers
- ESTYN
- Teaching Associations
- Support Staff Associations
- South East Wales Consortium (EAS)
- South East Wales Transport Alliance (SEWTA)
- Gwent and South Wales Police and Crime Commissioners
- Local Town and Community Councils
- Menter Iaith
- Early Years Development and Childcare Partnership
- Parent Network
- Welsh Education Forum
- Any consultee who has previously expressed concern as part of their consultation response during the period of 14th September 2020 – 26th October 2020.

Sports Wales, Penallta RFC and the Save Ystrad Mynach Green Spaces Group were also advised of the publication of the Statutory Notice.

This proposal does not affect Welsh Language provision, therefore there was no obligation on the Council to consult with the Welsh Language Commissioner in this instance.

Implications of COVID19

Section 4.1 of the School Organisation Code 2018 states that a Statutory Notice has to be published on a school day and consultees given 28 days to respond to the document, with at least 15 of these being school days in addition to the day it was published, as defined by Section 579 of the Education Act 1996.

In light of Covid restrictions imposed at the time of publication, Welsh Government issued a modification to the School Organisation Code 2018 on the 8th January 2021 which temporarily modified section 4.1 of the Code in respect of the manner of publication of the statutory notice, as if the references to 'school day' now includes a day on which there would have been a school session, but for any restriction on the attendance of pupils at the school in connection with the prevalence of coronavirus.

In addition, the School Effectiveness Division of Welsh Government confirmed that if a school was open to support keyworker or vulnerable pupils, as was in the case of all the schools in Caerphilly at this time, this would also be accepted as a 'school day' for the purposes of discharging this requirement under the code.

Therefore, in light of the information above, the publication date of the 11th January 2021, falls within the definition of a 'School day' and the Statutory Objection period proceeded within the scope and requirements as prescribed by the School Organisation Code 2018.

STATUTORY OBJECTION

Responses

Overall a total of 238 Statutory Objections were received during the Statutory Notice stage of the consultation process.

To be considered as a statutory objection, objections had to be made in writing or by email and submitted within the Objection Period. All objections submitted, regardless of whether the respondent was classified as a consultee as per the School Organisation Code 2018 have been included in the figures reported. All responses have been individually read, reviewed and summarised in this report and original copies of all correspondence are made available to Cabinet Members for consideration as part of the decision making process.

It should be noted that this process as prescribed by Welsh Government, provides no opportunity for inclusion of responses in support of the proposal.

It should also be noted that the figures quoted in this document, include all responses received irrespective of any duplicates.

Of the prescribed methods for providing a response during the consultation period:

- 2 responses received via letter
- 236 responses received via email

0 responses (0%) were returned in the medium of Welsh with the remaining responses (100%) in English.

The 21st Century Schools Team received 0 requests for the documentation to be provided in another format or language.

Reasons for the Objection and Council Clarification

The following table provides a summary of the Statutory Objections received during the objection period as per the requirements of the School Organisation Code 2018.

Area of Objection:	Overview
Statutory Processes	Respondents queried the processes and procedures being followed with particular focus on failure to consult widely enough. Concerns were also raised in respect of the nature and validity of the information that has been published in the Consultation Document and Consultation Report for the proposal.
Options Appraisal Process	Respondents queried the legitimacy of 'Option 4' in the Options appraisal, namely the proposal to expand Trinity Fields School being the preferred option to building a new school 'Option 5' and whether the decision has been based on finance alone. Respondents have queried as to whether expansion can be justified to meet future demand for places.
Loss of Green Space for the Ystrad Mynach Community	Respondents submitted objections based on the loss of green space in the community and how it is perceived to impact on general recreational activities, health and wellbeing and Ystrad Mynach Park. In addition, a clear sense of overdevelopment in the wider area as a result of the investment in the Hospital, Police Station and the Centre of Sporting Excellence has come to the fore. Respondents also stated that they perceive the proposal as being contradictory to the principles of the Wellbeing of Future Generations (Wales) Act 2015, the Council's Green Infrastructure Strategy and the Council's Sport and Active Recreation Strategy.
Impact on Sporting Provision and Mitigation options	Respondents have raised objections based on the perceived impact on sporting provision for both adults and children from the area and beyond should the Trinity 1 pitch be repurposed as part of the proposal to expand Trinity Fields. This includes the impact on the local Rugby Club. Respondents have also remarked on the mitigation being proposed as inadequate based on the information released into the public domain.
Other Planning Considerations	As outlined in this Report and in the Consultation Report published previously, there will be a separate planning application process that will address a number of material planning considerations. However, a number of Respondents have raised objections linked to the construction of the proposed extension, its potential negative impact on traffic flow and localised flooding. Whilst this document and process is completely separate to the planning process,

	<p>clarification has been provided which may aid in decision making at this stage in the process.</p> <p>In addition, the formal representations made by planning consultants Turley and Consult QRD on behalf of Penallta RFC and Save Ystrad Mynach Green Spaces at the Consultation stage and the failure to respond to these in the Consultation Report will be addressed as part of the Council's response.</p>
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In accordance with Section 5.1 of the School Organisation Code 2018, the Council, as the proposer, must publish its response to the summarised objections. The tables below provide a non-verbatim description from the objections received of the individual areas requiring further clarification and the Council's response to each in turn.

Area of Objection:	Statutory Processes
Areas requiring clarification:	Council's Response
<ul style="list-style-type: none"> • Feeling that the final decision on the proposal has been made • Conflict of interest for Officers • Misrepresentation of information in documentation by CCBC • Failure to address all responses in Consultation Report 	<p>This proposal, relating to the expansion of Trinity Fields School is still progressing through the decision making processes as prescribed by the School Organisation Code 2018. No final determination has been made regarding the proposal.</p> <p>There have been instances where Officers have declared a conflict of interest in relation to this proposal. Where this has been identified, relevant Officers have removed themselves from the process entirely or relevant parts of any meetings. This is standard code of practice and is always asked at the beginning of any formal meeting to discuss a proposal. It should also be noted for clarity that Officers are not decision makers in this process as this is the responsibility of Cabinet Members.</p> <p>The Council strives to achieve high standards both in the information that underpins school consultations and in the Consultation Documents that are published. The Council acknowledges that these will be examined closely by communities, school staff and parents, and welcomes holistic feedback to ensure a fair and transparent decision making process based on all the information available at the time.</p> <p>The School Organisation Code 2018 states that both the Consultation Report and this Objection Report only requires the Council to summarise the issues raised by consultees and respond to these by means of clarification. It is not a requirement to list and respond to each individual response directly, nor is there a requirement to publish any response or name any organisation other than Estyn. This does not mean however, that the responses are not considered and as stated previously, original copies of all</p>

<ul style="list-style-type: none"> • Observation that there were more 'negative views' in consultation period than positive , why are proposals still progressing? • Failure to consult with local residents • Social Media Engagement (the Council) • Social Media Engagement (3rd Party) • Difference between 	<p>correspondence are made available to Cabinet Members for consideration as part of the decision making process.</p> <p>Due to the different decisions being made at each stage, varying levels of information are required to support the proposal. As outlined previously in this report, the council must follow the process set out by Welsh Government in their School Organisation Code 2018, when wishing to put forward a proposal for changes to a maintained or special school. There are a number of stages which must be followed in sequence in addition to a separate planning application process. Whilst the various stages can be perceived as repetitive, each stage has its own distinct function and ensures that the proposal is open to scrutiny and review throughout prior to any final determination being made.</p> <p>The respondents highlighted a number of concerns relating to the consultation process and a lack of engagement with local residents. The School Organisation Code 2018 clearly lists the consultees that the Council must consult with, including what documentation needs to be produced and at which stage. This list was clearly outlined in both the Consultation Document and the Consultation Report. Whilst a further stipulation of the Code instructs Councils to make suitable arrangement with the pupils of any affected schools, as a minimum the school council, there is no requirement to hold consultation meetings with local residents as part of this process, however, social media was utilised to assist in the dissemination of information to a wider audience.</p> <p>The Council has utilised its own Facebook, Twitter and YouTube channels to increase reach and engagement in line with its own Communications and Engagement Strategy 2019 – 2022 and it has also used these information sharing channels in addition to those specified in the School Organisation Code 2018, to “Inform and engage with residents, businesses, visitors, partners and other stakeholders about the council’s aims and key priorities, the services it provides and how they can get involved in shaping decisions,” in line with the principles of the Consultation and Engagement Framework 2020-2025.</p> <p>The Council is also aware that the proposal relating to the expansion of the existing Trinity Fields school has generated interest through various independent social media outlets. Whilst the Council is committed to ensuring the information contained on our pages is as accurate as possible at time of writing, since a number of the pages generated are not controlled by the Council, no liability, or responsibility is accepted arising from reliance upon the information contained in these pages.</p> <p>From the responses received during the objection period, there appears to be uncertainty as to the distinction between the 'consultation period' held in September/October 2020 and the</p>
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<p>Consultation and Objection Period</p> <ul style="list-style-type: none"> • Statutory Notice being mistaken for Planning Notice • Ombudsman 	<p>'objection period' held in January/February 2021. For clarity, the consultation period was the stage at which only 'views' were gathered in relation to the proposal whereas the objection period is the point at which 'formal statutory objections' can be lodged. No final determination of the proposal has been made to date and as with the consultation stage, original copies of all correspondence are made available to Cabinet Members for consideration as part of the decision making process.</p> <p>It has also become evident that there has been confusion in relation to the Statutory Notice published on the 11th January 2021 and displayed until the Objection period ended at midnight on the 7th February 2021. This Notice was published and displayed in locations as outlined in the School Organisation Code 2018 to alert interested parties, including local users and residents that the Statutory Objection period was live.</p> <p>The process the Education Directorate is following and the stage the proposal has reached has been clearly identified in all correspondence and in the Statutory Notice that was published. In addition, the process has been regularly explained to the members of the Education Scrutiny Committee and Cabinet, the minutes and recordings of which all of which are publicly available.</p> <p>Feedback on any construction element is not directly considered as part of this Education proposal under the School Organisation Code (2018). The building and related transport infrastructure would be subject to a planning application. This is a statutory process governed by planning legislation, and will involve its own separate consultation process. Full consideration of the latest 2021 Planning Policy Wales Framework, supplemented by the Welsh Governments series of Technical Advice Notes (TANs), will ensure full consideration and delivery of sustainable development, improving the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.</p> <p>Through the objections process, the Council has become aware that the Ombudsman received a complaint relating to the Council's consultation in relation to the Trinity Fields school proposal on the basis of it "being inadequate and flawed". The Ombudsman has subsequently responded formally. Whilst the Council cannot share the full nature of the complaint due to confidentiality measures in accordance with section 17 of the Public Services Ombudsman (Wales) Act 2019, the Ombudsman has confirmed that they "cannot investigate complaints about a properly made decision that a public body or a provider of public services is entitled to make" and does not consider that persuasive evidence has been submitted of procedural or administrative irregularity of such significance as to justify an investigation.</p>
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Area of Objection:	Option Appraisal Process
Areas requiring clarification	Council's Response
<ul style="list-style-type: none"> • Why an expansion and not a new purpose built school at another location? • Has due diligence been followed? • Have all options been fully explored? 	<p>The Council recognises that there are many routes to realising transformational change and investment in key projects are important in order to meet the strategic vision of the Band B programme. In undertaking an options appraisal process exercise prior to submission of an outline business case to Welsh Government, a cross-departmental working group considered the investment objectives and scored each option in a weighted decision matrix. It was agreed that, based on the outcome of the scoring and further consideration of the shortlisted options, the new extension to the existing building scheme provided the best balance of costs, benefits and risks, with the remodel and limited rebuild options offering poor value for money and risks.</p> <p>21st Century schools is a platform for the continuing transformation of the Educational estate within the Caerphilly County Borough, identifying opportunities for a more prosperous, resilient and equal county borough. All proposals are subject to initial outline Business Case scrutiny and approval by Welsh Government and are based on the five key areas that underpin the Better Business Case Process (Five Case Business Model), in addition, these are underpinned by a Strategic Outline Programme (SOP), which provides an overarching view of individual local authority strategies.</p> <p>The processes prescribed by the School Organisation Code 2018 are being followed and at the relevant stages, all decisions are subject to scrutiny and review by the relevant decision making body. The findings of the initial Consultation undertaken were presented in a Consultation Report and presented to Education Scrutiny Committee and Cabinet for review, endorsement and permission to progress to the next stage.</p> <p>As part of outlining the current proposal, an options appraisal was undertaken to consider the relative desirability, viability and feasibility of the proposal.</p> <p>The following options were considered and scored: -</p> <ul style="list-style-type: none"> • Option 1 – Do nothing • Option 2 - Further reconfiguration of the existing school • Option 3 - Build a new primary school provision on another site • Option 4 - Build a new extension onto the existing school to accommodate an additional 80 places • Option 5 - Build a new school on another site to accommodate all identified provision and full cohort of 260 pupils (existing plus additional)

<ul style="list-style-type: none"> • Has a cost benefit analysis been undertaken? • Has cost been the over-riding factor? • Will expansion truly future proof the school? 	<p>Each option was initially discussed between a selection of Council Officers from across multiple-departments and then a score allocated. The outcome of the options analysis resulted in the highest 2 scoring options being taken forward to a shortlist, where the benefits of the options were considered. These were Option 4 and 5. The published Consultation Document demonstrates how each option was scored and the rationale, including the benefits and disbenefits which resulted in Option 4 being progressed.</p> <p>Amidst a changing landscape of unprecedented investment opportunities on the one hand and austerity measures on the other, there is a pressing need to 'do things differently' with limited resources. The 21st Century schools programme provides the opportunity for the Council to coordinate activities involving a multi-agency approach and commitment from partners to achieve cost effectiveness, reduce duplication and maximise the benefits. When considering a proposal a number of Critical Success Factors are taken into consideration including the Strategic Fit, Educational Fit, Accessibility, Financial Fit and Environmental Impact. These key Investment Objectives are considered holistically and weighted accordingly.</p> <p>Cost has not been the over-riding factor in the proposal as the weightings for Education, Accessibility and Environment were ranked higher when the options appraisal was undertaken to determine a preferred option to take forward for consideration.</p> <p>Respondents have expressed concerns relating to the published 'number on roll' for Trinity Fields School and as to whether the proposal for expansion of a further 80 places will be sufficient to future proof the school and prevent the need for any further developments on site.</p> <p>Trinity Fields School and Resource Centre was purpose built in 1998. As the school became established and pupil numbers grew, the Council invested in the School from an improvement perspective and as part of the 21st Century Schools Band A programme. Through converting areas within the school building and reconfiguring the existing footprint to provide additional classroom space, such as the conversion of one of the sensory gardens, 20 classrooms in addition to other specialist provision is currently available on site.</p> <p>The 'Measuring Capacity of Schools Guidance in Wales' 2011, describes the method for assessing the capacity of all maintained mainstream schools in Wales. Special Schools such as in the case of Trinity Fields is not subject to this legislation and as such this means that there is no published capacity calculation.</p> <p>As there is no guidance to stipulate the number of children that would be accommodated per classroom, this is done at the discretion of the Head Teacher based upon the individual needs</p>
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and abilities of the pupils attending the school. Currently, there is an average of 8 – 9 pupils being accommodated on site per class across the 20 classrooms. Therefore, the overall accommodation on site for pupils is estimated between 160 and 180 places at present.

However, anticipated demand linked to the more complex and changing needs of the pupils together with the requirements of the Additional Learning Needs (ALN) and Education Tribunal (Wales) Act has led to the urgency to expand the provision further at this School.

In light of this, the Council has utilised data, including current, historical and consideration of children already in the system to review provision and respond to the need accordingly resulting in the recommendation for expansion of the existing school by a further 80 places.

Historical and Current Data

Pupil Numbers				
Academic Year	Number on Roll at Trinity Fields	Number of pupils in main Trinity site	Number of pupils in satellite provision *	Number of pupils attending from out of Catchment
2015/2016	128	118	10	4
2016/2017	146	126	20	5
2017/2018	148	128	20	5
2018/2019	154	134	20	4
2019/2020	161	131	30	3
2020/2021	183	143	40	4

* Please note, some pupils are dual-registered at Trinity Fields School. This means they are included in the 'number on roll' figures but receive their main educational provision within a satellite setting, therefore not situated permanently on site at Trinity Fields. Dependent on the age and need of the pupils, the numbers attending each satellite site vary so an average class size of 10 pupils has been used for reporting purposes (as above).

It is impossible to provide a precise number of pupils that will require places from the 2022 cohort onwards, as this will depend on a number of factors, however, current information available indicates that in September 2021, there will be 19 leavers, 203 on roll, with circa 50 of those 203 pupils attending satellite provision.

The proposed 80 place expansion will future proof the school site for a number of years to come with the option to further expand satellite provision if required ensuring that the Council is fully discharged of any duties placed upon it to ensure educational need is met.

- Has the capacity of satellite provision been considered?

- ✓ Trinity Fields would be able to accommodate circa 260 pupils on site with 30 classrooms and additional specialist facilities accessible.
- ✓ Taking all provision into account (current and proposed), a total of circa 310 places would be available across all settings (Trinity Fields School and Satellite provision) for our most vulnerable pupils.

Expansion will also provide for a unified and integrated multi-agency input from Health and Social care which will further compliment the Educational provision. Visiting practitioners will not be permanently based at the Trinity site, but will however have access to facilities to undertake development and intervention activities with children, under a single roof, providing additional support and a better quality of life to the most vulnerable children in the Borough.

All Councils in Wales must make sure they provide enough school spaces for pupils of all ages in order to provide the best quality of education which includes places that meet the needs of the pupils with any additional learning needs.

Since the development of the Hub and Spoke model, Trinity Fields Special School has a pivotal role in the current and future development of the ALN strategy within the Authority. It has become a Centre of Excellence and developments have been recognised by Estyn as highly effective practice. However, the Council works closely with schools, families and other partners to promote inclusion and support the principle that the majority of children can have their needs met in mainstream settings and a fortnightly placement panel convenes to calculate the number of places that are required at each site.

Trinity Fields Satellite Provision	
Name of Satellite Site	Academic Year of Opening
Cwm Ifor Primary School	2013
St Cenydd Community School	2016
Deri Primary School	2019
Ty Isaf Infants School	2020
St Cenydd Community School (2 nd class)	2021

The capacity of the satellite provision has been considered as part of this proposal and pupil numbers have been factored into the calculations for how many the main Trinity Fields School site can accommodate, further informing the proposal for expansion of a further 80 places.

<ul style="list-style-type: none"> Why an expansion to accommodate out of county children? 	<p>There may be small number of instances where children from out of County are admitted as admissions are decided via an independent Tribunal process. Currently only 2% of the school cohort falls under this criterion. The proposal is envisaged to primarily benefit pupils and their families from across the whole of the Caerphilly Borough (which is the catchment area for the school) as the additional facilities and adaptations will support children who have specialist needs in an appropriate and secure environment that will create a holistic approach towards learning and development.</p>
<p>Area of Objection:</p>	<p>Loss of Green Space for the Ystrad Mynach Community</p>
<p>Areas requiring clarification</p>	<p>Council's Response</p>
<ul style="list-style-type: none"> Implications of Covid and increased emphasis on outdoor activities Ystrad an area of deprivation 	<p>Coronavirus has had a terrible impact on our country. The benefits of green space on our mental and physical health have become more apparent during the enforced period of change to our daily lives brought about by the coronavirus pandemic. The public has turned to green spaces to walk, run and to meet and appreciation of nature soared which the Council acknowledges. However, when balancing the most effective use of resources and considering the limited impact on the useable space for general recreation in the locale of the park area in conjunction with the proposed mitigation to support enhance sporting opportunities, the Trinity Fields expansion proposal would not prevent continuity of any such activity within the local area.</p> <p>The Welsh Index of Multiple Deprivation (WIMD) has been quoted on several occasions including in the Cabinet meeting held on the 9th December 2020 as indicating that Ystrad Mynach is ranked one of the most deprived areas in the Authority for greenspace.</p> <p>Ystrad Mynach is broken down into 3 distinct output areas (as defined by the WIMD). Whilst the data for 'Ystrad Mynach 2' which is the main built up town/shopping area does score a low in relation to the Physical Environment it should not be considered in isolation. The remaining 2 areas identified as 'Ystrad Mynach 1' and 'Ystrad Mynach 3' which includes the area effected by the proposal in addition to Ystrad Mynach Park and Penallta Park, score considerably higher when comparing with other areas within the Borough (110 areas in total).</p> <p>The individual rankings for all 8 deprivation indicators for the output areas relevant to Ystrad Mynach are shown below.</p> <p>The higher the score, the better the ranking (1= low /110 = high).</p>

Index Definition	Rank	Ystrad Mynach 1
<i>LA Rankings:</i>		
Income	84	
Employment	84	
Health	81	
Education	78	
Access to Services	56	
Community Safety	90	
Physical Environment	76	
Housing	74	
<i>Overall Ranking:</i>		
LA	87	

Index Definition	Rank	Ystrad Mynach 2
<i>LA Rankings:</i>		
Income	59	
Employment	54	
Health	62	
Education	75	
Access to Services	97	
Community Safety	13	
Physical Environment	1	
Housing	10	
<i>Overall Ranking:</i>		
LA	48	

Index Definition	Rank	Ystrad Mynach 3
<i>LA Rankings:</i>		
Income	108	
Employment	106	
Health	103	
Education	108	
Access to Services	37	
Community Safety	24	
Physical Environment	17	
Housing	102	
<i>Overall Ranking:</i>		
LA	99	

<ul style="list-style-type: none"> • Overdevelopment in Ystrad Mynach and the Feeling of the 'village' being lost 	<p>The Council has sought to strengthen and revitalise its Principle Towns over successive years and acknowledges there has been unprecedented investment in Ystrad Mynach including the creation of a Centre of Sporting Excellence, Police Station and new Hospital.</p>
<ul style="list-style-type: none"> • Brownfield sites not being utilised first 	<p>The Council acknowledges that there are many benefits to the reutilisation and reclamation of brownfield land and exploits these opportunities where appropriate. However, the proposal for Trinity Fields School is an expansion of an existing facility to ensure growth is managed, building upon the current infrastructure. The redevelopment of a brownfield sites for this use would not be viable or realistic and environmental and community safeguards will be put in place to mitigate any impact based on the current proposal.</p>
<ul style="list-style-type: none"> • Contradiction with other policies and CCBC strategies 	<p>A number of respondents have expressed concerns that the proposal relating to Trinity Fields School contradicts National and Local policy. The Council is mindful of its duty to manage the natural heritage and its resources appropriately for future generations, whilst accommodating much needed sustainable development.</p>
	<p>Wellbeing of Future Generations (Wales) Act 2015 The Act is about improving the social, economic, environmental and cultural wellbeing of Wales and places a duty on Council's to consider the long term impacts of their decisions. In accordance with the sustainable development principle within the act, Council's must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. There are 7 wellbeing goals and the Council must work to achieve all of them, however, a balanced approach for individual projects need to be taken, which is why when reporting to Cabinet, all covering reports include a section relating to the Act to enable transparent decision making.</p>
	<p>Caerphilly CBC Green Infrastructure Strategy The Green Infrastructure Strategy was recently considered by Cabinet and several respondents felt that this document should prevent the current proposal progressing. It was confirmed at the Cabinet Meeting on the 9th December 2020 that this new strategy is designed to help develop a comprehensive policy framework for the protection, accessibility and use of green infrastructure as part of the preparation of the 2nd Replacement Caerphilly County Borough Local Development Plan (LDP). It was stressed that the Green Infrastructure Strategy would form a part of the evidence base for the 2nd Replacement LDP together with the active Sports and Recreation Strategy and any other strategies with land use requirements. The Green Infrastructure Strategy supplements the Adopted Countryside Strategy, which was produced and adopted by CCBC in 1998, however the primary document for determining planning applications is the Adopted LDP until such time as it is superseded by the 2nd Replacement LDP. Therefore, any current</p>

planning proposal will be determined having regard for the adopted LDP, which provides the framework for local decision-making and brings together both development and conservation interests to ensure that any changes in the use of land are coherent and provides maximum benefits. A pre-planning application consultation exercise will need to be carried out as part of the planning application process and all relevant National and Local Planning Policies and all material planning considerations will be taken into account by the Local Planning Authority in the determination of the application.

Caerphilly CBC Sport and Active Recreation Strategy 2019

This strategy is designed to establish the key principles and vision in relation to the provision of sport and active recreation in Caerphilly and inform future decisions and actions. It considers emerging needs and sustainability of services to support people in taking a greater responsibility for their own health and levels of physical activity. The Strategy acknowledges that activity can take place in a wide variety of different places found throughout the Borough and significant Educational investment has been made into the Ystrad Mynach locality with the Centre of Sporting Excellence and local all-weather 3G pitches available for use by sports clubs and the wider community.

Location of 3G facility	Distance from Trinity Fields (T1)
Centre of Sporting Excellence	0.2 miles
Ysgol Gyfun Cwm Rhymni (Gelli Haf)	2.2 miles
Lewis School Pengam	2.8 miles
Blackwood Comprehensive	3.3 miles
Ysgol Gyfun Cwm Rhymni (Y Gwyndy)	4.2 miles
St Cenydd Community School	4.7 miles
Islwyn High School	5.2 miles

The mitigation relating to the creation of Sue Noake 2 and Trinity 3, the enhancement of Sue Noake 1 and Trinity 2 pitches and the introduction of a sporting hub at Sue Noake support this agenda.

In addition, Penallta RFC and a number of other Ystrad Mynach based clubs are currently exploring the possibility of creating a Community Sporting Hub at the Sue Noake Leisure Centre. The Hub would have the potential to support Rugby, Football, Hockey and Netball as well as a new clubhouse and improved changing facilities. The creation of a sporting hub is not part of the current mitigations for the loss of the pitch at Trinity 1, but the Council is keen to support the clubs to make the hub concept a reality.

- Boundary of park and usable green space

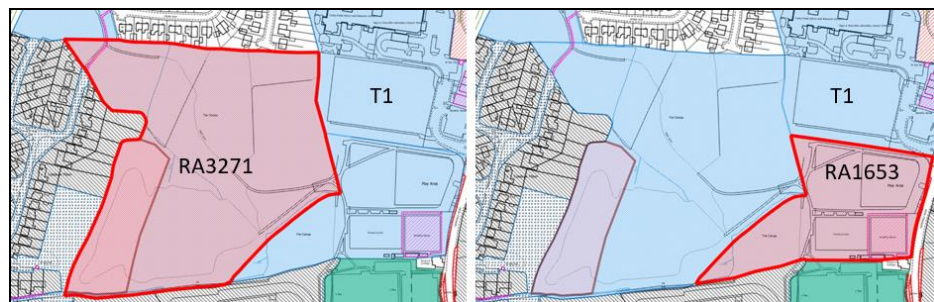
Consultees have also indicated the wider usage of the proposed site and park for recreational activities such as dog walking, socialising, play and picnics and have expressed concerns that these activities would be negatively impacted upon should this proposal go ahead. Trinity 1, is a marked pay-as-you-use sporting

- Concerns over Future developments of the park

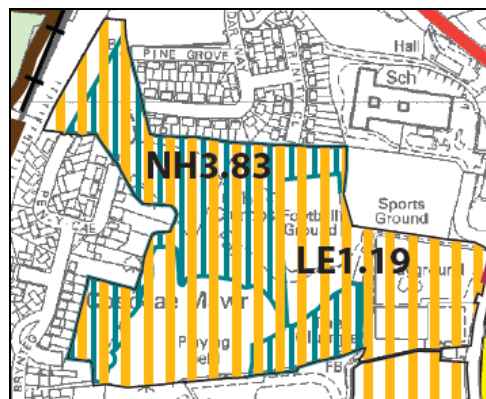
pitch. The removal of this facility would not prevent any of the activities currently being undertaken continuing within the park boundary or surrounding locality.

The Council confirmed its commitment to actively seeking Fields in Trust Status in perpetuity for Trinity 2 and 3. However, further investigations have been undertaken relating to Ystrad Mynach Park which included its deed status, something that would normally have been released as part of the separate planning application documentation. The Council can now confirm that areas of Ystrad Mynach Park are already protected from development being subject to a covenant on the land. Trinity 1 is not subject to these covenants.

Deed packages RA3271 and RA1653 have active covenants on the land contained therein which prevents the land being used for any purpose other than for a recreation ground, children's play area or park. Therefore, no future development is permitted within the areas identified in red below:



It should also be noted, as outlined in the [Consultation Report](#), the areas above echo those identified in the Local Development Plan as having development restrictions, falling within the remit of LE1.19 and NH 3.83. These are the Formal Leisure facility (Ystrad Mynach Park) and Sites of Importance for Nature Conservation (Coedcae Mawr) respectively.



- Green flag status of park

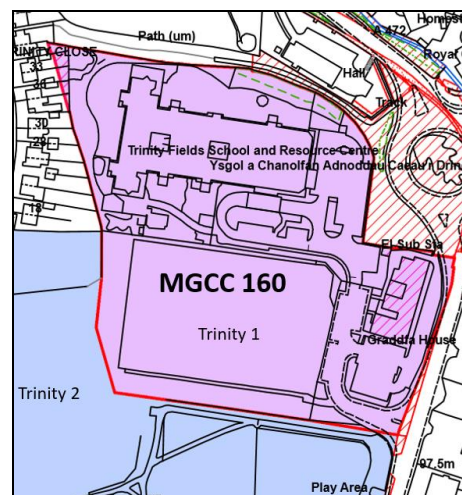
The Council recognises that a good quality environment can have a big impact on our communities, health and well-being, and economy. Ystrad Mynach Park and Penallta Park, both of which are located within the Ystrad Mynach locality are 2 of 7 locations within the Borough to have been awarded a Green Flag.



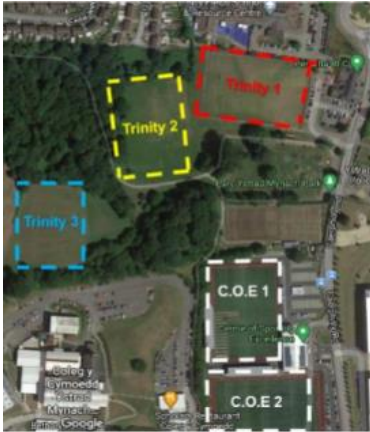
With reference to the Trinity Fields proposal, discussions have been undertaken with Keep Wales Tidy as a result of consultee concerns, who judge and award the prestigious Green Flag Award based on 27 different criteria. They have indicated that the loss of one rugby pitch in the area would not have any detrimental effect on the park's green flag status going forward.

Further investigations as a result of consultee feedback have been undertaken in relation to the detail of the Ystrad Mynach Park Management Plan, which was the Green Flag application document submitted to Keep Wales Tidy in 2017. The land identified for development as part of this proposal (Trinity 1) was not included as part of this application. The document clearly states that the application only relates to the land and facilities within the RA1653 and RA3271 deed package areas.

Trinity 1 falls outside of these areas and is contained in a separate deed package MGCC160 along with Trinity Field School and the adjacent Council building.



This further supports the assertion that should the proposal to expand Trinity Fields school be approved, this will not impact on Green Flag Status.

<ul style="list-style-type: none"> Alternative provisions for children 'keeping them off the streets' Centre of sporting excellence not for community use Needs of 'local' families competing with children from outside the area 	<p>The Council appreciates that the proposal to develop Trinity Fields School has implications in relation to the identified pitch, but the local provision and activities for young people including Penallta RFC are not ceasing as a result of the proposal. There are still the same breadth of recreational facilities and activities available within the Ystrad Mynach Park boundary as well as enhanced mitigation provision being proposed to assist in the delivery and accessibility to a wider range of sporting provision within the locality.</p> <p>The Centre of sporting excellence opened in 2014. The Business model in operation provides for daytime use by key partners such as the Dragon Rugby Union Team and Coleg y Cymoedd who provide revenue to ensure financial viability and support competitive costing models for community use in the evenings and on weekends. The facilities are available for booking by the local community and sporting clubs at these times based on the booking criteria agreed by Cabinet in 2014 which ensures consistency at all venues across the Authority. For example, Penallta RFC have been identified as a local club accessing the facility as evidenced in the Consultation Report.</p> <p>The Council is committed to the principles of inclusion and the delivery of services to all. Trinity Fields School is the only specialist school to all the vulnerable children residing within the authority. The extension will support local pupils and families from across the Borough to ensure need is met on a sustainable basis. The School currently has only 2% of pupils on role from outside of the Borough and therefore not deemed to be local.</p>
<p>Area of Objection:</p>	<p>Impact on Sporting Provision and Mitigation options</p>
<p>Areas requiring clarification</p>	<p>Council's Response</p>
<ul style="list-style-type: none"> Negative impact on Penallta RFC including perceived loss of income, reduced usage, displacement of players and job losses at the club 	<p>The Council is proposing to expand the Trinity Fields School on to the pitch adjacent to the school. The pitch is known as Trinity 1 (T1).</p> 

<ul style="list-style-type: none"> • Centre of Sporting Excellence is not an accessible facility to the local clubs (access and cost) • Sports Wales Objection • Inadequate Mitigation (Trinity 2,3 & Sue Noakes) 	<p>As is the case whenever a community sports pitch is at risk of being redeveloped, the Council has an obligation to provide an alternative provision of equivalent community benefit, made available locally, avoiding any temporary loss of provision.</p> <p>The Trinity 1 pitch is owned by the Council but the majority user of the pitch to date has been Penallta RFC, who also occupy a Club House alongside the pitch. To mitigate the potential redevelopment of the pitch at Trinity 1, the Council is proposing a range of mitigation measures and has been working closely with Club Officials to minimise any impact and ensure continuity.</p> <p>Through discussions, the Club has also confirmed that its preference is to continue to play their first team games at the Centre of Sporting Excellence which is a 3.5 minute walk from the club house. The first team games would be the primary income generators for the Rugby Club and access arrangements to the Centre of Sporting Excellence facilities would not differ from those that have been in place since 2014.</p> <p>As outlined previously, the Centre of Sporting Excellence operates a business model to ensure financial viability and support competitive costing models for community use in the evenings and on weekends. The facilities are available for booking and have been utilised by local clubs, including Penallta RFC in line with the booking criteria agreed by Cabinet in 2014 ensuring consistency at all venues across the Authority.</p> <p>Sports Wales were notified of the proposal both as part of the initial Consultation period and as part of the Objection period. No formal objection has been lodged in relation to this proposal. Sport Wales have been made aware of the mitigation options being proposed and have confirmed that they would not object to the proposal to extend Trinity Fields Special School as long as the alternative provision is of equivalent community benefit, made available locally and avoids any temporary loss of provision.</p> <p>The current Trinity 1 pitch is 106m x 66m with a 3m grass run off to all sides and has hard standing and fencing to two sides of the pitch with barriers to three sides. The pitch is underpinned by drainage and is considered a good and durable playing surface. The pitch does not benefit from any lighting at present. The mitigation proposals for the loss of the pitch at Trinity 1 are described below.</p> <p>The mitigations centre on:</p> <p>Trinity 2 & 3</p> <ul style="list-style-type: none"> • The creation of a new Mini and Junior pitch at Trinity 3 with an 84m x 44m marked out pitch with rugby posts available for use in time for the 2021/22 season. • New training lights will be installed alongside the pitch at Trinity
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2 to provide winter training opportunities where those don't currently exist.



Proposed pitch orientations and dimensions for T2 and T3

Sue Noake

- The provision of an additional 102m x 60m senior pitch at the Sue Noake Leisure Centre available for use in time for the 2021/22 season, with 5m grass run off, partial hard standing barrier, fencing, drainage and enhanced playing surface
- Enhancements to the existing 108m x 63m pitch at the Sue Noake Leisure Centre with new hard standing, fencing, drainage and enhanced playing surface.

❖ Please note, all pitch sizes are approximate at present



3D visual for proposed Sue Noake site

In addition, a number of enhancements to the supporting facilities including:

- Additional Changing facilities at Sue Noake Leisure Centre
- Temporary training lights in situ at SN1 to be replaced with enhanced permanent LED lighting
- Emergency Vehicle access to be created to the pitches at Sue Noake Leisure Centre
- Access Path Enhancements at Sue Noake Leisure Centre
- Remedial Drainage Works on the ATP at Sue Noake Leisure Centre to repair a crushed drainage pipe which has contributed to surface water flooding

The Council has consulted with Penallta RFC and Ystrad Mynach Ward Members specifically on the mitigation proposals and enhancements which are fully set out in a report being presented to Cabinet on the 7th April 2021.

Subject to Cabinet approval, the Council will apply for Fields in Trust status for the pitches at SN1 and 2 and Trinity 2 and 3, providing additional safeguards against the loss of these four fields moving forward.

- Reusing existing open green space, not creating new

The adopted Local Development Plan provides a clear distinction between the factors that need to be considered when protecting open space (CW7) or protecting Community and Leisure Facilities (CW8). Outdoor sports facilities including playing pitches are protected under Policy CW8 and therefore Policy CW7 would not apply in respect of this proposal. As such, CW8 states that where a proposal would result in the loss of a community and/or leisure facility:

“A comparable replacement facility can be provided by the developer either on or off site, and within easy and convenient access on foot or by bicycle.”

In order to compensate for the potential loss of the Trinity 1 pitch,

<ul style="list-style-type: none"> • Drainage, Flooding and Quality of pitches 	<p>Council Officers have been working closely with officials from Penallta RFC to design a range of mitigations and enhanced provisions. The intention has been to develop an alternative provision of equivalent community benefit locally, avoiding any temporary loss of provision and thereby complying with the requirements of the Local Development Plan CW8 criteria.</p> <p>The Council acknowledges that there have been a number of concerns relating to the drainage on the existing pitches at Ystrad Mynach Park and also Sue Noake.</p> <p>As part of the mitigations for this proposal, the playing surface for Trinity 3 will be enhanced and will receive verti draining treatments and regular maintenance to enhance its playability.</p> <p>The playing surface for SN1 and the proposed SN2 will also be enhanced and will be made more durable for extended use by an external pitch specialist. A drainage system will also be installed under the playing surface at SN2 to further improve usage.</p> <p>Separate to the mitigation work set out within this report, the Council is also undertaking works at Ystrad Mynach Park to alleviate the impact of flooding on the park itself and further downstream.</p> <p>The work will seek to introduce attenuation of the stream flows during a storm event by providing storage within the park, specifically within the area proposed to be designated T3. This attenuation will have the effect of reducing the downstream flows to a level that the existing stream course and culvert system are able to accommodate, without surcharging.</p> <p>In practical terms this would mean the T3 field would be enclosed with an earthwork bund which would provide a natural viewing gallery for the pitch as well as holding and then releasing water during and after a storm event in a controlled manner. The duration of the period in which water is retained in this area would depend on the duration of the storm but once passed it would be a matter of hours, possibly a day before the whole area is drained and then a number of further days before the proposed pitch at T3 would be reusable.</p> <p>In addition to this the Council is also proposing to daylight a section of culvert within the park, often the primary source of flooding in the park. The availability of increased upstream storage and the proposed removal of the culvert, the current flooding experienced in the park should be completely alleviated for most extreme storm events, which would also be true of the flooding which currently affects the T2 rugby pitch ensuring greater access and usage through the season.</p>
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<ul style="list-style-type: none"> Public Health concerns at Sue Noake linked to sewage 	<p>The stated works remains subject to funding being identified but it is anticipated that the works will be completed during the next financial year.</p> <p>During the recent Storm Christoph (18th to 20th January 2021) a manhole above a mainline sewer that runs close to the edge of the proposed location of the pitch at SN2, surcharged and sewage was released to the surrounding area.</p> <p>Welsh Water has responsibility for the sewerage infrastructure and have confirmed there have only been two recorded incidents of manholes in proximity of the Sue Noake site surcharging over the previous ten years. The first of these was in 2014 and the second, the most recent incident in January 2021.</p> <p>These two isolated incidents have been subsequently verified in separate conversations undertaken with the Head Teacher at Lewis Girls School and staff at Sue Noake Leisure Centre. School and Leisure Centre staff have also confirmed that they have received no other reports from members of the public or Centre users of sewerage escaping from these specific manholes during the last ten years.</p> <p>When a breach of this nature occurs, particularly on a trunk sewer, Welsh Water will undertake a detailed investigation, undertake any remedial work to the sewer and reinstate the ground.</p> <p>-----</p> <p>Statement from Welsh Water 11 March 2021 Re: Sue Noake Centre</p> <p>We have been called to attend reports of the sewer overflowing near the Sue Noakes Centre during heavy rain and are already carrying out investigations to understand the cause.</p> <p>These have included undertaking a CCTV survey of the sewer with further surveys set to take place this week. Once these are completed, we should be in a better position to determine the cause and then undertake any work that may be required.</p> <p>During the course of our investigations so far, we have found that damage has been caused by a third party to one of our pipes nearby which was allowing water from a stream to enter the network. This in turn was placing additional pressure on the sewer, particularly during heavy rain. We have undertaken a full repair of the damaged pipe.</p> <p>Following the sewer overflowing at the site, we have sent a team on each occasion to carry out a full clean up of the area. We are also keeping Caerphilly County Borough Council informed of our investigations.</p>
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We do realise the inconvenience a sewer overflowing in this way can cause and apologise to the local community for this.

Ends

The likelihood of a reoccurrence of the recent surcharge of the manholes at **X** is considered unlikely and the frequency of reports over the last decade would appear to support this position.



The work being carried out by Welsh Water to investigate and remediate the issue would further support this position.

That aside, the Council acknowledges the benefits of developing some additional safeguards to provide further assurance to the users of the site.

The Council will make an application to Welsh Water to relocate the manholes further away from the pitch. The application will need to be considered by Welsh Water.

In the interim the Council is also exploring as part of its plans for SN2 the possibility of developing a protective 'bund' around the manholes. A 'bund', essentially, a raised grass bank will be installed between the pitch and the manholes to provide additional protections to the new pitch from any debris that may emerge should the manholes surcharge again at a future point.

- Cost of mitigation should be put into developing school elsewhere

The proposal for the Trinity Fields School expansion is standalone. Monies made available for mitigation is intended to be used for this purpose only.

- Pedestrian Route between Trinity 1 and Sue Noake

Active travel is important in promoting healthier lifestyles and in reducing the negative impacts of traffic upon our neighbourhoods and communities. The facilities proposed as part of the mitigation at Sue Noake are within a 0.5 mile radius from the Trinity 1 site

<ul style="list-style-type: none"> • Emergency vehicle access • Car parking 	<p>and is currently accessed by a number of clubs including players at Penallta RFC. Whilst it is understood that the route requires crossing of a main road, there is a footpath along the entire route and a pedestrian light controlled crossing (pelican crossing) adjacent to Ystrad Mynach Primary School.</p> <p>Emergency vehicle access has been included as part of the mitigation package.</p> <p>Any development proposals must meet a number of highways requirements including car parking and access which will be a factor of the design process.</p>
<p>Area of Objection:</p>	<p>Other Planning Considerations</p>
<p>Areas requiring clarification</p>	<p>Council's Response</p>
<ul style="list-style-type: none"> • Build upwards not outwards • Will additional hydrotherapy pool effect drainage and increase running costs? • Community Use facilities 	<p>Respondents have queried why the expansion of the Trinity Fields site cannot be done vertically, by building upwards. The technical response was originally addressed in the Consultation Report and confirmed that this is not a viable option. Firstly, the school was not designed to support a first floor so a new support structure would be required. Furthermore, the school would need to close for more than a year to allow the construction to take place and the existing school building would be significantly disrupted and damaged by the process. Extending the school upwards would also not provide the access to additional external play areas that is essential for the enhanced wellbeing of pupils.</p> <p>There is no indication that an additional hydrotherapy pool would impact on any drainage issues and would be subject to any sustainable drainage approval as part of the planning application process.</p> <p>The proposed additional hydrotherapy pool will offer a range of tangible benefits to the health and wellbeing of pupils who have a range of disabilities and health conditions including improving muscle tone, movement of joints, more efficient lung capacity and a fun yet calming and relaxing multi-sensory environment. This facility will also be available on a booking basis for the wider community.</p> <p>Any increased running costs would be offset as far as reasonably practicable through including carbon neutral approaches in the build and operation of the building in line with the principles of the Council's Decarbonisation Strategy.</p> <p>Respondents have queried the community facilities that will be accessible should the expansion go ahead. It is a pre-requisite of Welsh Government funding that Council's optimise the use of infrastructure and resources to enable flexibility for space and</p>

<ul style="list-style-type: none"> • Traffic Congestion and Air pollution levels • Transportation of school children • Concerns with properties flooding in surrounding area 	<p>facilities to be made available as community assets. Whilst the internal design of the proposed extension is yet to be finalised, subject to Cabinet approval to progress, discussions have included the zoning of the school to support access during school time and after hours to the hydrotherapy pool, hall, gym, soft play, family room with kitchenette, rebound therapy room and café and kitchen. The accessible toilets and ‘changing places’ hygiene rooms supporting these spaces would also be available on a booking basis.</p> <p>As part of any development, the Council is committed to providing safe, efficient and effective traffic management. As a highway authority, we have a duty to manage the road network to ensure, as far as possible, the safe and convenient movement of traffic and minimise pollution levels, which includes pedestrians and other vulnerable road users. The planning and design of the facility will establish safer routes with a newly designated pick up and drop off point which should alleviate congestion.</p> <p>As outlined in the Consultation Document, the catchment area for Trinity Fields School is the County Borough and this will remain unchanged as part of this proposal. Due to the specialist learning needs, all pupils are transported to site at present, 98% of which reside within the catchment area of the school.</p> <p>The site identified for the expansion of Trinity Fields School is directly adjacent to the existing premises, so existing learner travel arrangements will still be in place should the proposal be taken forward.</p> <p>The Council recognises that protecting life and property from the risk of flooding is an emotive subject for many. The major flooding events we have seen across the UK over the last few years serve to remind us of the devastating affects flooding can have. Respondents have expressed concerns of the current flood issues in Edwards Street and the perception that additional building in the area would further exacerbate this.</p> <p>The planning department have confirmed that all developments in excess of 100m² are subject to technical approval by the Sustainable Drainage Approval Body (SAB), which is separate to the internal Planning process. Under the SAB approval process, the Council would need to demonstrate that on and off-site flood risk would not be adversely affected by the development prior to approval.</p> <p>Separate to the mitigation work set out within this report, the Council is also undertaking works at Ystrad Mynach Park to alleviate the impact of flooding on the park itself and further downstream as earlier in this document.</p>
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<ul style="list-style-type: none"> • Planning Consultants 'Turley' Document not referenced in Consultation Report 	<p>The Council wishes to set the record straight in relation to the handling of the submission received during the consultation period from Turley and Consult QRD made on behalf of their clients, Penallta Rugby Football Club (PRFC) and Save Ystrad Green Spaces Group (SYGS).</p> <p>The 12 page document, received on the 26th October 2020, was included in the Consultation pack provided to Cabinet Members prior to their meeting on the 9th December 2020. In addition, a member of the consultant firm, made representations at the Education Scrutiny Committee Meeting on the 26th November 2020.</p> <p>In line with the requirements of the School Organisation Code 2018, there was no obligation on the Council to publish the document publicly nor make any direct reference to specific organisations other than Estyn.</p> <p>It should be noted that the submission stated that its purpose was to “inform CCBC decision making on this matter”. The document contained several queries relating to planning processes and this was highlighted to the consultant.</p>
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OTHER CONSIDERATIONS

Learner Voice

Learner voice is about involving the children and young people as active participants in the development, delivery, management and improvement of their educational experience.

Throughout every stage of the process, children and young people at the proposed affected school has been involved in the planning and consultation process as outlined and demonstrated in the [Consultation video](#), [Consultation Document](#) and [Consultation Report](#).

However, as outlined previously, at this stage in the process as prescribed by Welsh Government, there is no opportunity for inclusion of responses in support of the proposal as part of this document. Members are urged to be mindful of this as part of their deliberations moving forward.

Integrated Impact Assessment

Local authorities are already under a duty to carry out equality impact assessments and this is recognised by Welsh Government as part of the School Organisation Code 2018.

An initial Equality and Welsh Language Impact Assessment for this proposal was undertaken alongside the original Consultation Document forming part of the outline consultation pack which is published on the Council's website.

A new socio-economic duty set out in section 1 of the Equality Act 2010, comes into force on 31st March 2021, therefore an Integrated Impact Assessment (IIA) template will be utilised to update the existing Equality Impact Assessment and include any additional elements highlighted

through the statutory consultation processes. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

The utilisation of the new IIA design will further help support Cabinet Members in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010
- Well-being of Future Generations (Wales) Act 2015
- Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles

Local and National Strategies

There are a number of local and national strategies that drive Educational reform and underline the rationale for the proposals being considered as part of the 21st Century Schools and Colleges Band B programme in Caerphilly.

- [Welsh Language Act 1993 / Welsh Language \(Wales\) measure 2011](#)
- [Additional Learning Needs and Educational Tribunal \(Wales\) Act 2017](#)
- [The Childcare Act 2006 \(Local Authority Assessment\) \(Wales\) Regulations 2016](#)
- [Well-being of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government - Education in Wales: Our National Mission](#)
- [Welsh Government - Cymraeg 2050: Welsh Language Strategy Action Plan 2019- 2021](#)
- [Welsh Government - 21st Century Schools and Colleges Programme](#)
- [Caerphilly - 'Shared Ambitions' Education Attainment Strategy 2019 - 2022](#)
- [Caerphilly - #Team Caerphilly: Better Together Transformation Strategy](#)
- [Caerphilly - Welsh Education Strategic Plan](#)
- [Caerphilly - Welsh Language Strategy 2017-2022](#)
- [Caerphilly - Corporate Plan \(including Wellbeing Objectives 2018-2023\)](#)
- [Caerphilly – Education Other Than At School \(EOTAS\) Strategy 2020](#)
- [Caerphilly - Strategic Equality Plan 2020-2024](#)
- [Caerphilly - Communication and Engagement Strategy 2019-2022](#)

NEXT STEPS

Publication of Objection Report

Under section 49 of the School Standards and Organisation (Wales) Act 2013, when objections have been received the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report").

- The Objection Report will be published and posted on the Council's website with hard copies available on request.
- The Consultees as identified on pages 8/9 of this report will be advised by letter or email of the availability of the Objection Report.

Cabinet ‘Objection Report’ Decision

Where a local authority’s proposals have received objections, objections must be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in the School Organisation Code 2018.

Further to review at Education Scrutiny Committee on the 22nd March 2021, this document will be considered in full at a Cabinet meeting due to be held on 7th April 2021.

At this meeting the following documentation will be made available to Members.

- a copy of the [Consultation Document](#)
- a copy of the [Consultation Report](#)
- a copy of the [Published Statutory Notice](#) and [Notification Letter sent to Consultees](#)
- a copy of the updated Integrated Impact Assessment
- a copy of the Objection Report
- a copy of the Mitigation Proposals and Sewerage Briefing Paper
- copies of all the statutory objections in their original format

Cabinet Members will be asked to review the proposal and make the final determination as to whether to implement the proposal as outlined below:

To expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space

Recommendation

It is the recommendation of this Objection Report that in line with the processes outlined in the School Organisation Code 2018 and the information gathered and reviewed as part of the consultation phase and formal objection period that Members endorse the proposal outlined above and permission is given as part of Cabinet’s final determination to progress to implementation phase.

Decision Notification

Decisions (in relation to proposals which require approval or determination) must be made and issued in the form of a decision letter. The decision letter must set out clearly the reasons for the decision with reference to the School Organisation Code 2018.

The Decision letter will be published electronically on the Council’s website and the consultees as outlined in Section 5.6 of the School Organisation Code will be advised by letter/email of the availability of the document.

SUPPORTING INFORMATION



Annex 1 :

[Consultation Document](#)
[Consultation Report](#)

Annex 2:

Statutory Notice - [Notification Letter sent to Consultees](#)

Tŷ Penallta, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed CF82 7PG
Clyfwrddwr Corfforaethol - Addysg a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services
www.caerphilly.gov.uk | www.caerphilly.gov.uk



Ysgolion yr 21ain Ganrif
21st Century Schools
Ref: LT/JS/AW
21st Century Schools
01443 864817
11th January 2021

Dear Consultee

In line with the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018, we are writing to inform you about the publication of a Statutory Notice.

The proposal is in connection with:

- > **The expansion of Trinity Fields Special School and Resource Centre**

Anyone wishing to make objections to this school organisation proposal now has the opportunity to do so. To be considered as a statutory objection, objections must be made in writing or by email, and received before the end of 28 day objection period which concludes on the 7th February 2021.

Objections by email should be sent to 21stCenturySchools@caerphilly.gov.uk

Objections in writing should be sent to Caerphilly County Borough Council, for the attention of the 21st Century Schools Team, Directorate of Education and Corporate Services, Penallta House, Tredomen Park, Ystrad Mynach, CF82 7PG.



It is recommended that you refer to the background information contained in the Consultation Document and Consultation Reports prior to submitting a response.

Full details and all relevant documentation in relation to the proposal can be found at www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools

Regards
21st Century Schools Team
Caerphilly County Borough Council

Published Statutory Notice

Tŷ Penallta, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed CF82 7PG
Clyfwrddwr Corfforaethol - Addysg a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services
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Statutory Notice
School Standards and Organisation (Wales) Act 2013

NOTICE IS HEREBY GIVEN in accordance with section 44 of the School Standards and Organisation Act 2013 and the School Organisation Code 2018 that Caerphilly County Borough Council, having consulted such persons as required by relevant legislation, proposes to make the prescribed alterations as follows:

Expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space with an anticipated completion date of September 2023.

The school is currently maintained by Caerphilly County Borough Council.

The Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on the Council website at: <https://www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools>

It is proposed to implement the proposal with an anticipated effective date being circa September 2023.

The current number of pupils at the school at present is 183.

The proposed number of pupils the school will be able to accommodate once the proposal is implemented will be 263, to accommodate the existing cohort and provide an additional 80 places.

Admissions to the school are managed by the local authority via a Specialist Placement Panel, where a statutory process is followed to discuss pupils' individual needs.

The 'Measuring Capacity of Schools Guidance in Wales' 2011, describes the method for assessing the capacity of all maintained mainstream schools in Wales. Special Schools such as in the case of Trinity Fields is not subject to this legislation and as such this means that there is no published capacity calculation.

It is proposed that the catchment area for Trinity Fields Special School, which covers the whole area of the borough, will remain unchanged as outlined in the Consultation Document (page 14).

The Council's policy on school transport, provides free transport to all pupils who attend Trinity Fields Special School, irrespective of distance and family circumstances and Pupils are provided with the appropriate transport arrangements, as determined by the individual needs of the child. This will remain unaffected.

Objection Period
Within a period of 28 days of the date on which the proposal was published, that is to say, between Monday 11th January 2021 and Sunday 7th February 2021, any person may object to the proposals in writing or by email to the proposer.

Objections by email should be sent to 21stCenturySchools@caerphilly.gov.uk
Objections in writing should be sent to Caerphilly County Borough Council, for the attention of the 21st Century Schools Team, Directorate of Education and Corporate Services, Penallta House, Tredomen Park, Ystrad Mynach, CF82 7PG.

The Council will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, at the time of notification to stakeholders of the determination of the proposal.

Richard Edmunds
Corporate Director for Education and Corporate Services

For Caerphilly County Borough Council
Dated: 11th January 2021

EXPLANATORY NOTE
(This does not form part of the notice but is intended to explain its general meaning)

Caerphilly County Borough Council proposes to expand Trinity Fields Special School and Resource Centre, (Caerphilly Rd, Ystrad Mynach, Hengoed CF82 7XW) with effect from the 31st August 2023.

With effect from the 1st September 2023, pupils in the existing school will have access to the additional facilities available in the new extension at the school.


Annex 3: Statutory Objections Statement

Cabinet Members will be provided with full copies of all the objections received in their original format.

Annex 4: Objection Report Notification Letter sent to Consultees


Tŷ Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG



Cyfarwyddwr Corfforaethol - Addysg a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services

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Ysgolion yr 21ain Ganrif
21st Century Schools

Ref: LTI/AW
21st Century Schools
01443 864817
15.03 2021

Dear Consultee

In line with the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018, we are writing to inform you about the publication of the Objection Report in connection with the following proposal:

> **The expansion of Trinity Fields Special School and Resource Centre**

The Objection Report is a summary of the Statutory Objections received during the Objection period (11th January 2021 to the 7th February 2021) and the council's responses to those objections.

At a meeting to be held on 7th April 2021, Cabinet will consider the Objection Report in respect of the proposal to expand Trinity Fields Special School and Resource Centre and determine the final outcome for the proposal.

Full details and all relevant documentation in relation to the proposal can be found at: www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools

A hard copy of all documentation is also available on request and can be obtained by telephoning the number at the top of this letter.

Regards
21st Century Schools Team
Caerphilly County Borough Council