



# OBJECTION REPORT

Establishment of an all-through school (4-19) and specialist provision for pupils with complex neurodevelopmental and learning needs

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## 1. Introduction

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Monmouthshire County Council has a statutory duty to secure sufficient and suitable school places for children within its County, and in doing so ensure that resources and facilities are efficiently utilised to deliver the education opportunities that our children deserve.

The Council has a responsibility under the School Standards and Organisation (Wales) Act 2018 to consult with appropriate stakeholders when considering any significant school reorganisation proposals.

The Council recently engaged in a statutory consultation process relating to the establishment of an all-through school (4-19) and specialist provision for pupils with complex neurodevelopmental and learning needs in Abergavenny.

The purpose of undertaking the statutory consultation was to seek the views of our community, key stakeholders and partners.

On conclusion of the statutory consultation period, a consultation report was produced to inform interest parties of the outcome of the consultation undertaken and included the Council's response to comments and concerns raised during this consultation.

The Consultation report was considered by the Council's Cabinet on 6<sup>th</sup> October 2021, who agreed to proceed with next stages of the statutory process through means of the publication of Statutory Notices.

This Objection Report now represents the council's responsibilities in line with the School Standards and Organisation (Wales) Act 2018 to produce a report that summarises any statutory objections received together with the Council's response to these objections.

## 2. Distribution of the Consultation Report

The consultation report was published on the Monmouthshire County Council Website [www.monmouthshire.gov.uk/schoolreorganisation](http://www.monmouthshire.gov.uk/schoolreorganisation).

The consultees and interested parties listed below were also directly informed of the publication of the consultation report.

- Parents, Guardians and carers of all pupils of schools directly affected by the proposal
- All consultees responding to the proposals during the consultation period, requesting notification of the publication of the consultation report
- Headteacher, staff and governors of schools from which pupils transfer
- Pupils/Pupil Councils of schools directly affected by the proposal
- Headteachers of all schools in MCC area
- All MCC Members
- Welsh Ministers
- All MCC Town and Community Councils
- All MCC Assembly Members representing the area served by the school
- All Members of Parliament representing MCC area
- Directors of Education of all bordering LAs
- Principal of Coleg Gwent
- Mon Life
- GAVO
- Monmouthshire Association of School Governors
- Teaching Associations
- Support Staff Associations
- Policy Officer (Equalities & Welsh Language)
- Welsh Government
- ESTYN
- Church in Wales Diocesan Trust, Director of Education
- Roman Catholic Diocesan Trust, Director of Education
- South East Wales Education Achievement Service
- Gwent Police and Crime Commissioner
- RHAG
- Mudiad Meithrin

The above consultees were directly informed of the decision to proceed with proposals through means of the publication of Statutory Notices, and informed of how they could submit Statutory Objections against proposals.

### **3. A reminder of our proposal**

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The Local Authority consulted on proposals to establish an all-through school with provision for children with complex neuro-developmental needs on the King Henry VIII School site with effect from 1<sup>st</sup> September 2023.

To facilitate the establishment of the proposed all-through school in Abergavenny, the Council will cease to maintain Deri View Primary School and King Henry VIII Comprehensive School with effect from 1<sup>st</sup> September 2023.

The proposed new school building will be jointly funded by Welsh Government and Monmouthshire County Council through the 21<sup>st</sup> Century Schools and College Building Programme.

### **4. Background to the Consultation Arrangements**

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#### **4.1 The consultation period**

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On 14<sup>th</sup> April 2021 the Council's Cabinet approved the proposals to commence statutory consultation thereby allowing the Council to engage with key stakeholders on establishing an all-through School, with specialist provision, in the north of the county on the King Henry VIII School site.

In line with the School Standards and Organisation (Wales) Act 2018, the Council produced a consultation document, published on 26<sup>th</sup> April 2021, which also represented the commencement of the statutory consultation period. The formal consultation period lasted for more than 8 weeks (including 20 school days), concluding on 25<sup>th</sup> June 2021.

The consultation document was distributed / links sent to all statutory consultees and a copy also published on the Council's website at [www.monmouthshire.gov.uk/schoolreorganisation](http://www.monmouthshire.gov.uk/schoolreorganisation).

The Council raised awareness of the consultation through means of direct mailshots to all statutory consultees, including parents, staff, and governing bodies of all affected schools. A marketing campaign was also established, making use of the Council's social media networks throughout the consultation period to advertise the proposals and how consultees could contribute to this process.

The Council was keen to engage throughout the consultation period with all interested parties. Despite the Global Coronavirus pandemic and associated National restrictions, the Council was able to organise a safe environment to engage with statutory consultees and interested parties.

Consultees were advised of the following opportunities to respond formally to the consultation proposals:

- Completing the online consultation questionnaire available via [www.monmouthshire.gov.uk/statutoryconsultation](http://www.monmouthshire.gov.uk/statutoryconsultation)
- Emailing [strategicreview@monmouthshire.gov.uk](mailto:strategicreview@monmouthshire.gov.uk).

#### 4.2 The Consultation Report

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The Council has a responsibility in line with the School Standards and Organisation (Wales) Act 2013 to produce a report seeking to inform interested parties of the outcome to the consultation stage of the process by means of:

- Summarising each of the issues raised by consultees
- Responding to these by means of clarification, amendment to the proposal, or rejection to the concerns with supporting reasons
- Setting out Estyn's view (as provided in its consultation response) of the overall merits of the proposal.

The Council's Consultation Report relating to these proposals was published on 5th October 2021, and all Statutory consultees and interest parties were directly informed of its publication. The consultation report was also published on the Council's website at [www.monmouthshire.gov.uk/schoolreorganisation](http://www.monmouthshire.gov.uk/schoolreorganisation).

On 6<sup>th</sup> October 2021, the Council's Cabinet considered the Consultation Report and agreed to proceed with the next stages of the statutory process, through means of publication of the Statutory notices that proposed the establishment an all-through (3-19) school on the site of King Henry VIII Comprehensive School with effect from September 2023. As a result of these proposals, the Statutory Notices also proposed that the Council would cease to maintain Deri View Primary and King Henry VIII Comprehensive Schools with effect from 31<sup>st</sup> August 2023.

## 5. Statutory Objection Period

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### 5.1 Methodology

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On 19th October 2021, the Council entered into the Statutory Objection period through the publication of the Statutory Notices, found under appendix 1 of this report.

The Statutory Notices were published through the following means:

- On the council website at [www.monmouthshire.gov.uk/schoolreorganisation](http://www.monmouthshire.gov.uk/schoolreorganisation)
- On or near the main entrance of Deri View Primary and King Henry VIII Comprehensive Schools
- By electronic distribution to all statutory consultees, including pupils, parents/carers, Governors and staff of all schools within the Abergavenny cluster
- By electronic distribution to all consultees responding to the consultation stage of this statutory process and requesting such notification

Consultees and interested parties were advised that, should they wish to submit a statutory objection against the proposals to establish a new all through (3-19) school, and in turn cease to maintain Deri View Primary and King Henry VIII Comprehensive, they must do so in writing or by email within the 28 day Statutory Objection period, which concluded on 17<sup>th</sup> November 2021.

Consultees and interested parties were reminded that concerns raised during the consultation stage of this process would not automatically be carried into the Objection Period and considered as a Statutory Objection unless advised to do so within the Statutory Objection Period.

### 5.2 Statutory Objections

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The Statutory Objection period opened on Tuesday 19th October 2021 for a period of 28 days, concluding on Wednesday 17th November 2021. During this time, one statutory objection was received. Details of this statutory objections together with the Council's response can be found within the table below:

OBJECTION NUMBER	OBJECTION CONCERN
1	<p>During the public consultation process I raised concerns about the MCC justification for the size of the through school as MCC projections for future pupil growth, based on housing and jobs growth, were significantly out of kilter with Welsh Government projected figures which are much lower than those of MCC.</p> <p>I did not feel the concerns I raised were adequately addressed in the consultation period or published wrap up report.</p> <p>Since then Welsh Government planners have issued a ‘planning warning’ to MCC over the figures which in rough terms equates to requiring MCC to revise its figure on anticipated new homes in the Abergavenny area over the next 10 years by a reduction of approximately 785 homes.</p> <p>In the light of this development I urge that these figures and decisions informing the size of the new school are reconsidered.</p> <p>I again object to the Abergavenny through school due to its size being inappropriate for forecast demand and urge that the matter is reconsidered and tailored to the growth projections required by Welsh Government planners.</p>
<b>LOCAL AUTHORITY RESPONSE</b>	
<p>King Henry VIII Comprehensive School in its current form has been assessed as having sufficient capacity for 1290 students, which includes the provision for post 16 students. Deri View Primary School has a capacity for 330 students from age Reception through to year 6. These capacity assessments have been completed in line with the requirements of the Welsh Government’s “Measuring the Capacity of Schools in Wales” guidance.</p> <p>The capacity of the secondary elements of the proposed all through school is 1200 (7-11) plus a 200 place sixth form, giving 1400 places in total. If proposals are agreed, the all-through school will offer an additional 110 places to secondary age learners</p>	



The capacity of the primary elements of the proposed all through school is 420 places for students in years Reception to year 6. If these proposals are agreed, an additional 90 English medium primary school places will be made available to the Town.

The sizing of the proposed new school has been calculated using pupil projections that are calculated and reviewed annually. The projections are compiled using a range of data available to us, including data supplied from health (new births), planning (housing developments), and data trends arising from our internal data analysis.

In terms of housing, the projections published within the statutory consultation as part of these proposals have been modelled solely against the known developments within the area where commitments in the form of planning permission have already been awarded by the Council. Whilst we are fully aware of the Council's proposals outlined within the Local Development Plan, the proposals had not been approved.

At the time of compiling the projections that are published within the statutory consultation document (September 2020), we were advised by our colleagues within the Planning department that, of our existing housing commitments, there were 387 dwellings left to be built using predicted build rates from 2020/21 onwards. These 387 dwellings have been factored into the published projections.

The statutory consultation document confirms that Primary numbers on roll across the Town area of the cluster (including Llanfoist and Gilwern Primary Schools) could reach:

	<b>September 2022</b>	<b>September 2023</b>	<b>September 2024</b>	<b>September 2025</b>
<b>Totals</b>	<b>1566</b>	<b>1543</b>	<b>1540</b>	<b>1541</b>

Modelling the above numbers against the proposed new capacity across the Town would see 349 surplus places or (18.4%) by September 2025. However, this projection does include proposals to increase our Welsh Medium provision within Abergavenny by 103 places, from 317 to 420 to enable us to accommodate any future increase in demand for Welsh Medium education.

The statutory consultation document confirms that Secondary numbers on roll for the proposed all-through school could reach:

School	Sept 2023	Sept 2024	Sept 2025	Sept 2026	Sept 2027
New all through school (secondary)	1128	1168	1193	1199	1176

You will note from the above that our predicted peak is in September 2026 with a projected 1199 students on roll. Against the proposed capacity of 1400, this leaves us with 201 surplus places (14.4%). The 1400 proposal is modelled on 8 forms of entry. Should a 7 form entry model have formed our preferred option, the capacity of the school would reduce to 1250. Using the projected numbers above, this option would leave us with 51 surplus places (4%) which we considered to be insufficient

The Council is content with the sizing of the proposed new all-through school and takes the view that proposals offer sufficient (and not excessive) capacity whilst also offering a sustainable solution should any new developments be allocated and agreed within the Abergavenny cluster

## Appendix 1 - List of Consultees to receive the Objection Report

- Parents, Guardians and carers of all pupils of schools directly affected by the proposal
- All consultees responding to the proposals during the consultation period, requesting notification of the publication of the consultation report
- Headteacher, staff and governors of schools from which pupils transfer
- Pupils/Pupil Councils of schools directly affected by the proposal
- Headteachers of all schools in MCC area
- All MCC Members
- Welsh Ministers
- All MCC Town and Community Councils
- All MCC Assembly Members representing the area served by the school
- All Members of Parliament representing MCC area
- Directors of Education of all bordering LAs
- Principal of Coleg Gwent
- Mon Life
- GAVO
- Monmouthshire Association of School Governors
- Teaching Associations
- Support Staff Associations
- Policy Officer (Equalities & Welsh Language)
- Welsh Government
- ESTYN
- Church in Wales Diocesan Trust, Director of Education
- Roman Catholic Diocesan Trust, Director of Education
- South East Wales Education Achievement Service
- Gwent Police and Crime Commissioner
- RHAG
- Mudiad Meithrin

**MONMOUTHSHIRE COUNTY COUNCIL  
COUNTY HALL, RHADYR, USK, MONMOUTHSHIRE NP15 1GA**

**SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013**

NOTICE IS HEREBY GIVEN in accordance with Section 41 and 43 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018 that Monmouthshire County Council, having consulted such persons as required, propose as indicated below:

1. Monmouthshire County Council propose to establish a new all-through English Medium, mixed sex school to be maintained by Monmouthshire County Council on the site of the existing King Henry VIII Comprehensive School at Old Hereford Road, Abergavenny, NP7 6EP, for children aged 3-19. The school will also have specialist provision for children with complex neurodevelopmental and learning needs. It is proposed to implement the proposal on **1<sup>st</sup> September 2023**.

As a result of the proposals outlined above:

2. Monmouthshire County Council propose to discontinue **KING HENRY VIII COMPREHENSIVE SCHOOL, OLD HEREFORD ROAD, ABERGAVENNY, NP7 6EP**. The school is currently maintained by Monmouthshire County Council. It is proposed to implement these proposals on 31 August 2023.
3. Monmouthshire County Council propose to discontinue **DERI VIEW PRIMARY SCHOOL, LLWYNU LANE, ABERGAVENNY, NP7 6AR**. The school is currently maintained by Monmouthshire County Council. It is proposed to implement these proposals on 31 August 2023.

Pupils currently attending the two discontinued schools will automatically be transferred to the new proposed all through school unless parents/carers request otherwise.

Monmouthshire County 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 has been published to all statutory consultees and is available via

<https://www.monmouthshire.gov.uk/schoolreorganisation/>

The new all through school will have a primary age (4-11) pupil capacity for 420 children, with an individual year group admission number of 60. The proposed new school will provide for up to 1200 places for secondary age (11-16) children in years 7-11, with an individual year group admission number of up to 240. A further 200 places will be made available for sixth form students (16-19).

The new all through school will provide preschool provision through the establishment of a Nursery provision to be maintained by Monmouthshire County Council which will provide 30 full time equivalent places.

The new all through school will offer specialist provision for children with complex neurodevelopmental and learning needs. The capacity of this provision will be 71 (16 Primary and 55 Secondary).

Monmouthshire County Council will be the Admission Authority for the new all through school. Applications for places at the new school will be managed and determined in line with the Council's agreed School Admissions Policy.

It is the intention of the Council that transport shall be provided free of charge for pupils to their new school in accordance with the Council policy at that time. The current policy is that pupils are eligible for free home to school transport if they meet the following criteria:

- a) They attend their nearest or catchment area school and
- b) They live more than one and a half miles from the school for primary or

- c) They live more than two miles from the school for secondary.

Within a period of 28 days of the date on which the proposal was published, that is to say by **17<sup>th</sup> November 2021**, any person may object to the proposals outlined within this notice.

Objections should be sent to the Matthew Jones, Access Unit Manager, Monmouthshire County Council, County Hall, Rhadyr, Usk, NP15 1GA or email to [strategicreview@monmouthshire.gov.uk](mailto:strategicreview@monmouthshire.gov.uk)

Signed



Date: **19<sup>th</sup> October 2021**

Paul Matthews  
Chief Executive  
For Monmouthshire County Council

### **EXPLANATORY NOTE**

***(This explanatory note does not form part of the notice but is offered by way of explanation)***

#### King Henry VIII Comprehensive School

King Henry VIII Comprehensive School is an English medium 11-18 co-educational secondary school situated in the north of the County in Abergavenny. The School currently has a capacity of 1290 places plus 220 place sixth form. Admission Number of 215 and the number on roll as at September 2020 was 1041

King Henry VIII Comprehensive School buildings are in a poor state of repair and following a Condition Survey being undertaken in 2020, the school buildings were categorised as Condition Category D with the backlog of maintenance estimated to be around £2.5m.

### Deri View Primary School

Deri View Primary School is an English medium Primary School situated in the north of the County and 0.5 miles from King Henry VIII School.

The School currently has a capacity of 330 places plus nursery, Admission Number of 47 and the number on roll as at September 2020 is 276

Deri View School is a relatively modern building and following a Condition Survey being undertaken in 2020, the school building was categorised as Condition Category C+ with the current backlog of maintenance estimated to be around £110k.