

**CYNGOR GWYNEDD
CABINET DECISION NOTICE**

Date of Cabinet Meeting:	7 November 2023
Date decision will come into force and be implemented, unless the decision is called in, in accordance with section 7.25 of the Cyngor Gwynedd Constitution	22 November 2023
SUBJECT Item 6: YSGOL FELINWENDA	
DECISION a. To approve finally the proposal under Section 43 of the School Standards and Organisation (Wales) Act 2013, given through a statutory notice, to close Ysgol Felinwnda on 31 December 2023, and to transfer the current pupils to an alternative school nearby, either Ysgol Bontnewydd or Ysgol Llandwrog, according to parents' choice, from 1 January 2024. b. To approve transport arrangements for the transition phase only, where free transport would be provided for those learners who are currently registered in Ysgol Felinwnda and living in the catchment area of Ysgol Felinwnda, to Ysgol Bontnewydd or Ysgol Llandwrog, for the remainder of the learner's time in either of those schools, in accordance with Cyngor Gwynedd's transport policy. c. To consult on the future of Ysgol Felinwnda's current catchment area to agree which school, or schools, will serve as a future catchment school for the children of Ysgol Felinwnda's current catchment area.	
REASONS FOR THE DECISION Based on the PLASC (Pupil Level Annual School Census) January 2023, Ysgol Felinwnda is the school with the lowest number of learners in the county, with a total of 8 learners. Consequently, the Education Department submitted a report to the Cabinet on 11 July 2023 requesting permission to hold a statutory objection period on the proposal to close Ysgol Felinwnda in accordance with the School Standards and Organisation (Wales) Act 2013 and the statutory Welsh Government Code (School Organisation Code 011/2018). Section 48(3) of the 2013 Act provides that the requirement to consult does not apply to proposals to close a 'small school' as defined in the Act, and the School Organisation Code 011/2018 provides as follows: <i>"Where a school has fewer than 10 registered pupils (or there are no pupils</i>	

remaining at a school) at the January census point, the 2013 Act permits governing bodies/local authorities to undertake a streamlined procedure to bring about official closure of the school.

The only thing they would be required to do under that procedure would issue the notice of closure – the requirement for general consultation would be waived, provided sufficient equivalent school places have been identified which would be reasonably accessible to those pupils actually or potentially displaced."

Since there are only 8 registered learners at Ysgol Felinwnda in the January 2023 PLASC, the School Organisation Code allows the authority to follow a streamlined procedure to close the school. Specifically, the requirement for general consultation is waived. In accordance with the requirements of the School Organisation Code, the authority was only required to publish a statutory notice and undertake the normal objection period, and to then consider any objections received before reaching a final decision.

Following the submission of a report to the Cabinet on 11 July they:

- i. Approved the commencement of the process to close Ysgol Felinwnda on 31 December 2023 under Section 43 of the School Standards and Organisation (Wales) Act 2013.
- ii. Approved the issuing of a statutory notice, on the proposal to close Ysgol Felinwnda on 31 December 2023, allowing a statutory objection period of 28 days in accordance with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 011/2018, and to transfer the current learners to an alternative school nearby, namely Ysgol Bontnewydd or Ysgol Llandwrog according to parents' choice, from 1 January 2024.
- iii. Approved transport arrangements for the transition phase only, where free transport would be provided for those learners who are currently registered in Ysgol Felinwnda and living in the catchment area of Ysgol Felinwnda, to Ysgol Bontnewydd or Ysgol Llandwrog, for the remainder of the learner's time in either of those schools, in accordance with Cyngor Gwynedd's transport policy.
- iv. Subject to the Cabinet's decision regarding the proposal to close Ysgol Felinwnda, to allow a consultation to be held on revising the catchment area boundaries of schools that border Ysgol Felinwnda's current catchment area.

DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE

A declaration of personal interest was received from Councillor Menna Trenholme as she was a governor at Ysgol Bontnewydd. She was not of the opinion that it was a prejudicial interest and did not leave the meeting during the discussion on the item.

A declaration of personal interest was received from Councillor Huw Rowlands as he was a governor at Ysgol Felinwnda. He was not of the opinion that it was a prejudicial interest and did not leave the meeting during the discussion on the item.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers and the Local Member were consulted for their views, which are included in the report.

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SUBJECT Item 7: LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 – PANEL PERFORMANCE ASSESSMENT	
DECISION They agreed on the timetable for holding a Panel Performance Assessment during the autumn term of 2024, and to commission the Welsh Local Government Association to support the work.	
REASONS FOR THE DECISION The Local Government and Elections (Wales) Act 2021 places a duty on Councils to conduct a Panel Performance Assessment once in every electoral cycle. The duty came into force in May 2022. It is noted that the Council is free to determine who should carry out and coordinate the panel assessment and to determine its timing, therefore guidance is required on this. Three statutory duties must be followed when carrying out a panel assessment: <ul style="list-style-type: none">• Preparation (determine the scope, terms of reference, membership etc.)• Assessment (carry out the assessment, present findings)• Follow-up (draw up the final report, the Council's response) After the Full Council adopted changes to the Constitution in relation to the Panel Performance Assessment on 28 September 2023, the function to arrange and appoint a panel was allocated to the Cabinet but the response to the report and the recommendations would be retained for the Full Council. Conducting the assessment by commissioning an external body to do the work is likely to cost up to £25k.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers were consulted to seek their views, which are included in the report.

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SUBJECT Item 8: CYNGOR GWYNEDD DIGITAL PLAN, 2023-28.	
DECISION To approve the proposed new Digital Plan for the period 2023-28.	
REASONS FOR THE DECISION The Council did not have a formal plan for developing its digital services. The period of the previous "Digital Strategy" ended in 2018, and although the Gwynedd Schools Digital Strategy was adopted in the meantime, a corporate plan was not produced during the same period. Whilst preparing the Council Plan, we recognised the need to create a Digital Plan that would set a vision for our digital services, as well as an associated work programme. The need to adopt and implement a Digital Strategy has been noted as an improvement priority within the "Efficient Gwynedd" field in the Council Plan, which was approved by the Full Council on 7 March this year.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report.	

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SUBJECT Item 9: SOCIAL VALUE PROCUREMENT	
DECISION The Cabinet approved and supported the proposal to make an addition to our Sustainable Procurement Proposal and include the social value measures as part of our contract assessment arrangements.	
REASONS FOR THE DECISION Our Procurement Policies will need to be revised to reflect this development by adding to the usual criteria of assessing contracts based on price and quality to include social value measures.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report.	

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SUBJECT Item 10: SAVINGS OVERVIEW: PROGRESS REPORT ON REALISING SAVINGS SCHEMES	
DECISION <ol style="list-style-type: none">1. To accept the information in the report and note the progress towards realising the savings schemes for 2023/24 and previous years.2. It was acknowledged that the situation had now changed so much that historical savings schemes totalling £2,056,430 could not be achieved, and they were removed from the budget.3. To use the £1,956,430 savings provision to fund the removal of savings schemes, together with using a £100,000 Council Tax premium for the savings scheme relating to Homelessness.	
REASONS FOR THE DECISION In the '2023/24 Budget' report to the Full Council on 2 March 2023, it was reported that savings worth £5,194,220 were required for the 2023/24 financial year in order to close the 2023/24 financial deficit. The savings are a combination of £950,250 that had been approved in previous years, together with new savings of £1,146,600 for Schools and £3,097,370 for the rest of the Council. In addition, by reviewing the Council's policy on debt repayment that finances capital expenditure (Minimum Revenue Provision), as set out in the report to the Full Council on 2 March 2023, a further £2,400,000 was added to the 2023/24 savings schemes.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION	

The Statutory Officers were consulted to seek their views, which are included in the report.

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SUBJECT Item 11: REVENUE BUDGET 2023/24 – END OF AUGUST REVIEW 2023	
DECISION <ol style="list-style-type: none">1. The Cabinet accepted the report on the end of August 2023 review of the Revenue Budget and considered the latest financial position regarding the budgets of each department / service.2. It was noted that the Adults, Health and Well-being Department, the Education Department, the Highways, Engineering and YGC Department and the Environment Department had significant overspend projections this year, and in light of the exceptional overspend projections by the Adults, Health and Well-being Department, the Cabinet supported the Chief Executive's decision who has already commissioned work to explain the complex details of the Adult care picture, in order to obtain a better understanding of the issues and a clear response programme. The work will be led by the Statutory Director of Social Services.3. A transfer of £3,275k of underspend on Corporate budgets to the Council's Financial Strategy Reserve was approved.	
REASONS FOR THE DECISION It is the Cabinet's responsibility to take action, as necessary, to secure appropriate control over the Council's budgets (e.g., approval of significant virements or supplementary budgets).	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the	

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SUBJECT Item 12: CAPITAL PROGRAMME 2023/24 – END OF AUGUST REVIEW (31 AUGUST 2023 POSITION)	
DECISION <ol style="list-style-type: none">1. To accept the report on the end of August review (31 August 2023 position) of the capital programme.2. To approve the revised financing as shown in part 3.2.3 of the report, namely:<ul style="list-style-type: none">– Use of various sources, worth a total of £17,421,000, to fund actual slippages from 2022/23– A decrease of £1,836,000 in the use of borrowing– An increase of £61,991,000 in the use of grants and contributions– A decrease of £9,000 in the use of capital receipts– An increase of £991,000 in the use of revenue contributions– An increase of £194,000 in the use of renewal and other reserves	
REASONS FOR THE DECISION It is the Cabinet's responsibility to take action, as necessary, to secure appropriate control over the Council's budgets. It is necessary to ensure proper financing arrangements for the Council's plans to spend on capital. The Cabinet has been authorised to revise the capital programme. Approval is sought for the proposed programme (part 3.2.2) and its financing (part 3.2.3). Recommendations are made here to ensure definite sources of funding for the 2023/24 – 2025/26 capital schemes.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
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The Statutory Officers were consulted to seek their views, which are included in the report.

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SUBJECT Item 13: CHALLENGE PERFORMANCE REPORT – CABINET MEMBERS FOR ECONOMY AND COMMUNITY	
DECISION The information in the report was accepted and noted.	
REASONS FOR THE DECISION In order to ensure effective performance management.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report.	

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SUBJECT Item 14: CHALLENGE PERFORMANCE REPORT OF THE CABINET MEMBER FOR CORPORATE SUPPORT AND LEGAL	
DECISION The information in the report was accepted and noted.	
REASONS FOR THE DECISION In order to ensure effective performance management.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report.	

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SUBJECT Item 15: CHALLENGE PERFORMANCE REPORT OF THE CABINET MEMBER FOR HOUSING AND PROPERTY	
DECISION The information in the report was accepted and noted.	
REASONS FOR THE DECISION In order to ensure effective performance management.	
DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received.	
ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report.	