



Eich cyf/Your ref
Ein cyf/Our ref HL/02435/15

Chris Davies MP
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House of Commons
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Dear Chris

Thank you for your letter of 10 December about a proposal by Powys County Council (the local authority) to close Nantmel Church in Wales Primary School.

It is important to note that responsibility for the planning of school places rests with local authorities. Local authorities have to keep under review the extent to which their existing pattern of school provision meets current and forecast demand for places and the requirements of the modern curriculum. The Welsh Ministers do not normally intervene directly in the planning of school places.

If a local authority concludes that there is a need to close an existing school, there are statutory procedures which must be followed. In the first instance, the local authority must consult interested parties, explaining their reasons for bringing forward the proposal. The local authority must ensure that those consulted have sufficient information to allow them to form a considered view and must make suitable arrangements for them to express those views in writing. If, in the light of the responses to the consultation, the local authority decides to proceed, it must publish a notice setting out the details of the proposal and inviting anyone who wishes to object to do so in writing within a period of 28 days. The purpose of these procedures is to ensure that, so far as is possible, all those likely to be affected by a proposal are informed and have an opportunity to express their views.

I am aware that the local authority's Cabinet met on 15 December to discuss whether to begin consultation on a proposal to close Nantmel Church in Wales Primary School from 31 December 2016, with Rhayader Church in Wales School named as the receiving school. If consultation proceeds, this will need to be undertaken over a period of at least 42 days, with a minimum of 20 of these being school days.

The School Standards and Organisation (Wales) Act 2013 (the “2013 Act”) set out a new legislative framework for school reorganisation. The 2013 Act created a new process for determining school organisation proposals which receive objections. Under the new system, most proposals which receive objections will be decided by the local authority. However, a proposal approved or rejected by a local authority can be referred to the Welsh Ministers for consideration if certain limited parties decide to take this step within 28 days of the date of determination. These limited parties are listed below:

- Another local authority affected by the proposals;
- The appropriate religious body for any school affected;
- The governing body of a voluntary school or foundation school subject to the proposals;
- A trust holding property on behalf of a voluntary or foundation school subject to the proposals; and
- A further education institution affected by the proposals.

Given my potential role in the statutory process, it would be inappropriate for me to comment on the merits or otherwise of the proposal at this time. I can only suggest that you make your views known to the local authority when consultation commences.

Yours sincerely



Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills