

**Gwasanaethau Cyfreithiol**  
**Legal Services**  
Pennaeth Gwasanaeth/Head of Service  
Iwan G. D. Evans



Gofynnwch am/Ask for: **Iwan G D Evans**  
☎ (01286) 679015

Ein Cyf / Our Ref: **YGL-0110 IE1**

Eich Cyf / Your Ref: **7145/HJD/DW/301301393**

Lee Bolton Monier-Williams  
DX: 145940  
WESTMINSTER 4

**14/11/16**

Dear Sirs,

**RE : SCHOOL ORGANISATION BERWYN CATCHMENT AREA**

Thank you for your letter of 9<sup>th</sup> September and subsequent e-mails of 20<sup>th</sup> and 24<sup>th</sup> October which have been passed to me with instructions to reply. I understand that you have been pressing for a response but the issues you have raised have required detailed consideration.

At the outset I am clear that the Council has acted in accordance with its powers School Standards and Organisation (Wales) Act 2013 and the Schools Organisation Code 2013. The act and guidance clearly permit us to take forward the proposal for a VC school in Berwyn. The Act is explicitly clear on this point. We have obviously done so in close and active co-operation with the diocese who participated and supported the proposal. This approach was not challenged at the time. In our view the notice as confirmed therefore stands.

Giving consideration to your position and proposals on the Berwyn project and the context with in which this proposal was taken forward we have concluded that the response must be formally considered at member level including consideration of whether Section 55(5) of the Act applies. As you will appreciate from your understanding of the legislative and other requirements relating to school organisation the implications of your correspondence are significant. The process in Wales is governed by prescriptive statutory requirements and guidance which extend to reviews or amendment of confirmed proposals. We therefore intend to report on this matter to Cabinet in December.

Yours faithfully,

**Iwan G D Evans**  
**Head of Legal Services**



✉ [IwanGDEvans@gwynedd.gov.uk](mailto:IwanGDEvans@gwynedd.gov.uk)  
DX 713561 CAERNARFON 5  
☎ Ffacs / Fax 01286 679466

Swyddfa Cyngor  
Caernarfon,  
Gwynedd. LL55 1SH  
☎ 01766 771000  
[www.gwynedd.gov.uk](http://www.gwynedd.gov.uk)

Parch • Gwasanaethu • Positif • Gweithio fel tîm • Gwerth am arian  
Respect • Serving • Positive • Working as a team • Value for money