



## **CABINET – 19<sup>TH</sup> FEBRUARY 2025**

**SUBJECT: HOME TO SCHOOL TRANSPORT POLICY**

**REPORT BY: CHIEF EXECUTIVE**

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### **1. PURPOSE OF REPORT**

1.1 The purpose of report is to update Members on the outcome of the Mobilising Team Caerphilly (MTC) consultation on the future provision of Home to School Transport for mainstream pupils, together with an updated Integrated Impact Assessment (IIA). And to present a set of recommendations for consideration.

### **2. SUMMARY**

2.1 There is currently significant pressure on public finances across the UK. Central Government, Local Government, Health and other sectors are all facing challenges where the costs of delivering services have accelerated far beyond the level of funding available to the sector.

2.2 In July 2023, the Council launched its Transformation Portfolio known as Mobilising Team Caerphilly (MTC). The Portfolio consists of two component programmes: Service Transformation and Place Shaping. The Service Transformation Programme is primarily charged with delivering the necessary change across the Council to meet the £45m savings requirement.

2.3 The Home to School transport provision has been subject to the MTC process.

2.4 The Council's Home to School Transport annual costs have increased from £6,400,000 in 2015 to £12,014,621 in 2024 (estimated outturn) and are continuing to increase.

2.5 Currently the Council provides generous home to school transport, far in excess of the Welsh Government statutory minimum provision. Caerphilly is currently one of only three local authorities in Wales providing transport above the

statutory minimum. Both of the other two authorities are considering moving to the statutory distances.

- 2.6 Home to School Transport has been part of the Mobilising Team Caerphilly programme since early 2024. Following a discovery phase, a number of options were identified. On 24<sup>th</sup> July 2024, Cabinet agreed to the commencement of a public consultation in relation to a proposed change to the Home to School Transport Policy in relation to mainstream pupils, which, if approved, would be implemented for the 2026/27 academic year. The public consultation ran for a period of six weeks. This report provides feedback in relation to the consultation responses, along with an updated Integrated Impact Assessment (IIA).
- 2.7 This report provides Cabinet with a set of recommendations for consideration.

### **3. RECOMMENDATIONS**

- 3.1 It is recommended that Cabinet considers the content of the report along with the outcome of the public consultation and the updated Integrated Impact Assessment.
- 3.2 Cabinet members are asked to note the content of the report and consider the following options.

OPTION 1 – to remain with the status quo. This was the most widely supported response via the consultation when asked what could be done to reduce the impact of the proposal on the service user/family.

This option would of course have zero impact upon current eligibility criteria and therefore learners, however, this would also mean that no savings will be made. As indicated in previous reports, transport costs are continuing to increase, and would as such, continue to place pressure on the overall Council budget.

- 3.3 OPTION 2 – to proceed with the proposal as outlined in the consultation – that mainstream English, Welsh and Faith primary and secondary school and college transport be provided in line with statutory distance criteria. This option (based on numbers as at December 2024) could mean a saving of c. £1.495m.
- 3.4 OPTION 3– to continue with the current provision for primary schools - i.e. to maintain the Council's discretionary distance (1.5 miles) criteria of providing transport for all Primary schools (English, Welsh and Faith).

Secondary school and college transport would be provided in line with statutory distance criteria and this option (based on numbers as at December 2024) could mean a saving of c. £1.076m.

Prior to a decision being considered on secondary provision, a safe route assessment will be undertaken for all potentially affected secondary school routes. This will require £192,500k of funding to be allocated from the MTFP

Contingency Reserves as outlined in section 8.3 of this report. This is at the request of Joint Scrutiny Committee following consultation on the recommended options.

It is anticipated that the safe route assessments will be available to be presented to Joint Scrutiny and Cabinet late in the Summer term to inform a final decision on secondary school transport.

- 3.5 Further details in relation to each of these options can be found in the body of this report.

#### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 The Authority is facing significant financial challenges and via the Mobilising Team Caerphilly programme, is considering a range of options to support addressing the shortfall in funding.

4.2 Due to the financial pressures the Council is currently facing, it is considered that changes to its current Home to School Transport Policy, are necessary to align the transport provision more closely with the Welsh Government statutory transport requirements for the Council in order to:

- Maintain affordability within future financial constraints;
- Continue to be able to meet its statutory requirements; and
- Maintain discretionary transport for its most vulnerable users.

#### **5. THE REPORT**

5.1 At a special meeting on 24<sup>th</sup> February 2024, Cabinet endorsed the 2024/25 budget proposals based on the Welsh Government (WG) Financial Settlement for 2024/25. The report provided to Cabinet outlined a savings requirement of £45.213m for the two-year period 2025/26 to 2026/27

5.2 In order to address this huge funding gap, a programme of transformation has been established to address the significant financial challenges the council is facing. The Home to School Transport Policy has been part of this programme.

5.3 On 24<sup>th</sup> July 2024, Cabinet agreed to the commencement of a public consultation in relation to a proposed change to the Home to School Transport Policy in relation to mainstream pupils, which, if approved, would be implemented for the 2026/27 academic year.

5.4 Currently the Council provides generous home to school transport, far in excess of the Welsh Government statutory minimum provision. Caerphilly is currently one of only 3 local authorities in Wales providing transport above the statutory minimum. One of the remaining three local authorities has recently taken the decision to reduce provision to statutory minimums from September

2025. The other authority is also considering a change to the distance criteria,

- 5.5 The Council currently transports approximately 7784 learners per day, which consists of mainstream learners, College students and pupils with Additional Learning Needs (ALN). The transport for ALN pupils is provided in the form of minibuses, Taxis and public transport. The appropriate mode of transport, whether a public transport pass, shared taxi/ minibus or individual taxi is allocated in accordance with the pupils' individual needs using a scoring matrix. This provision is reviewed annually.
- 5.6 Since the Covid-19 pandemic and conflict in Ukraine bus operators have experienced significant increases in operational costs e.g. fuel, parts, wages etc. These costs have naturally impacted the viability of school bus routes and the affordability to operate them at pre-pandemic rates. As a result, the Council has uplifted its current contract rates significantly to match industry demand and continues to receive tender bids for new/replacement routes far in excess of those received prior to March 2020.
- 5.7 The Council's Home to School Transport costs have increased from £6,400,000 in 2015 to £12,014,621 in 2024 (estimated outturn) and is continuing to increase.
- 5.8 The Council currently provides Home to School transport for approximately 7784 mainstream pupils and college students each day through the provision of more than 165 routes. This transport is provided through the provision of contracted coaches, minibuses, and public transport passes.
- 5.9 The Council is currently exercising its discretionary powers under the provisions of the Learner Travel (Wales) Measure 2008 to provide a more generous offer to learners. The comparison to the statutory requirements is outlined below.

### English Medium Provision

School Year	User	Statutory Requirement	Current Provision in Caerphilly
Early Years and Nursery (aged 3 to end of term in which child turns 5)	Under compulsory school age	No statutory provision	Concessionary free transport provided for pupils attending full time if they reside 1.5 miles or further to their catchment or nearest suitable school, this is solely dependent on there being

<b>School Year</b>	<b>User</b>	<b>Statutory Requirement</b>	<b>Current Provision in Caerphilly</b>
			spare vehicle capacity.
Reception to Year 6 (aged 5 to 11)	Statutory school age receiving compulsory primary education	Transport provided if they reside 2 miles or further to their nearest suitable school	Free transport provided if they reside 1.5 miles or further to their nearest suitable school
Year 7 to 11 (aged 12 to 16)	Statutory school age receiving compulsory secondary education	Transport provided if they reside 3 miles or further to their nearest suitable school	Free transport provided if they reside 2 miles or further to their nearest suitable school
Year 12 and above (aged 16+)	Post-16 learners (non-statutory education)	No statutory provision (although there is a duty to assess needs)	Free transport if reside 2 miles or to their nearest suitable school or college at which the approved course of study they wish to follow is offered (full time attendance) – for 2 years after the end of compulsory education (or 3 years for those who have reached 19 but started a course when under 19 and continue to attend that course).

### **Welsh Medium Provision**

<b>School Year</b>	<b>User</b>	<b>Statutory Requirement</b>	<b>Current Provision in Caerphilly</b>
Early Years and Nursery (aged 3 to end of term in	Under compulsory school age	No statutory provision	Concessionary free transport provided for pupils attending full time

which child turns 5)			if they reside 1.5 miles or further to their catchment or nearest suitable school, this is solely dependent on there being spare vehicle capacity.
Reception to post-16	Learners selecting Welsh medium provision	Statutory provision is an issue of interpretation – Measure does not require provision where learner selects a school that is not the nearest 'suitable school'.	Allows learner to select their nearest 'suitable school' in accordance with choice of English or Welsh Medium language.  Therefore, distance provisions apply as per English Medium Provision

### Faith School Provision

School Year	User	Statutory Requirement	Current Provision in Caerphilly
Early Years and Nursery (aged 3 to end of term in which child turns 5)	Under compulsory school age	No statutory provision	Concessionary free transport provided for pupils attending full time if they reside 1.5 miles or further to their catchment or nearest suitable school, this is solely dependent on there being spare vehicle capacity.
Reception to post-16	Learners selecting a school in accordance with their religious denomination	Statutory provision is an issue of interpretation – Measure does not require provision where learner selects a school	Allows learner to select their nearest 'suitable school' in accordance with their preferred religious denomination.

School Year	User	Statutory Requirement	Current Provision in Caerphilly
Early Years and Nursery (aged 3 to end of term in which child turns 5)	Under compulsory school age	No statutory provision	Concessionary free transport provided for pupils attending full time if they reside 1.5 miles or further to their catchment or nearest suitable school, this is solely dependent on there being spare vehicle capacity.
		that is not the nearest 'suitable school'.	Therefore, distance provisions apply as per English Medium Provision

5.10 As outlined above, the provision of free Home to School Transport in Caerphilly compares favourably to almost all other authorities in Wales.

5.11 It should be noted that any revised Home to School Transport Policy will need to be published in accordance with statutory requirements and included in the Authority's Starting School Booklet (which is published on 1<sup>st</sup> September 2025) in order for the policy to be implemented for the academic year 2026/27.

## CONSULTATION

5.12 As noted above, on 24<sup>th</sup> July 2024, Cabinet agreed to the commencement of a public consultation in relation to a proposed change to the Home to School Transport Policy in relation to mainstream pupils, which, if approved, would be implemented for the 2026/27 academic year.

5.13 A public consultation exercise was undertaken. The consultation was open from Monday 16<sup>th</sup> September to Monday 28<sup>th</sup> October 2024. Specifically, the consultation invited respondents to give their views in relation to several key areas:

- The impact of the proposed changes on respondents/families/children
- The impact of the proposal in relation to choice or faith or Welsh language schools, opportunities for learners to use and promote the Welsh language and whether the proposal in any way treats the Welsh language less favourably

- How any identified negative impacts could be reduced
- 5.14 The consultation was promoted in a variety of ways and made available across a range of platforms. Methods used to promote the consultation included:
- A dedicated web page linked directly from the home page of the Council's website
  - The primary consultation tool was a questionnaire, but the Council also held face to face drop-in sessions in secondary schools across the borough
  - A contact number and e-mail address were also provided for anyone who needed support in completing the survey or had any general queries or concerns. Maps showing the potentially affected areas were available online.
  - A media release on launch of the consultation period
  - Regular social media posts throughout the duration of the consultation period. Details of the consultation were shared via the Council's Twitter feed and Facebook page.
  - Posters displayed in libraries and other public facing Council venues.
  - Schools and other stakeholders were e-mailed directly and asked to respond to the consultation and/or share details widely with their contacts and distribution lists.
- 5.15 The survey was made available online throughout the duration of the consultation. The survey could be completed online or printed for completion. Hard copies of the survey were also available from all council libraries, primary and secondary schools, and were made available at all drop-in sessions held in the community. To enable all those who wished to give their views to take part, a survey was made available bilingually and in a variety of formats. The survey focussed on identifying the potential impact of this proposal on stakeholders as outlined above.
- 5.16 Six formal face to face drop-in sessions were scheduled at schools across the county borough. Three online sessions were also scheduled throughout the duration of the consultation period. In addition, at the request of local elected members in those areas, a further three informal drop-in sessions were set up. This enabled any resident who wished to do so, to speak directly with officers from the transport and engagement teams to seek clarification on the proposal and share their views on the proposed changes to Home to School Transport provision across the borough.

### **CONSULTATION OUTCOMES – TO BE CONSIDERED PRIOR TO ANY FINAL DECISION BEING MADE**

- 5.17 A total of 991 surveys were completed and received by the closing date. The largest group of respondents were parents/ carers of current and future learners. The second largest group were current primary and secondary pupils.



5.18 The main area of concern emerging was in relation to the additional distance and time it will potentially take for pupils to walk to school. Respondents were also concerned about:

- road safety
- more traffic on the roads
- parents' working hours not being compatible with school runs
- the socio-economic impact
- a disproportionate impact on those from more deprived communities
- impact on mental health/ wellbeing
- lack of reliable public transport options
- environmental impact

A detailed summary of the consultation responses can be found at Appendix 1.

5.19 Concerns from parents whose children are attending faith and Welsh language schools reflected those outlined above, however, there were additional concern that Welsh language and faith schools would be disproportionately affected and as already noted this may impact on parents' choice of school:

- Welsh language and faith schools have a wider catchment area and children generally have to travel further to their nearest catchment school than the local English medium/non-faith school.
- Due to centralised location, some of these schools are less accessible and not on public transport routes
- There are implications for the Welsh in Education Strategic Plan (WESP) and Welsh Government's Welsh Language Strategy (Cymraeg 2050) and that this proposal could be contradictory to the obligations of the local authority

5.20 A number of respondents also noted a disproportionate impact upon:

- Parents with disabilities who are unable to drive or use public transport to take children, in particular, those of primary age to school
- Single parents
- Parents who have more than one child, particularly if children are at different schools
- Families where children have undiagnosed Autism/ADHD and who are not eligible for school transport but would be unable to use other forms of transport
- Younger secondary pupils – parents commented that the transition from primary to secondary school was difficult for many pupils and the safety of these children having to walk further distance or use public transport was a particular concern.

5.21 When asked what could be done to reduce the impact of the proposal on the service user/family, by far, the most widely given response was to keep the service as it is.

The following themes also emerged:

- Keep the service but ask parents to contribute financially
- Find alternative sources of savings
- Improve cycling and walking infrastructure
- Make roads safer for pedestrians
- Offer discounted fares on buses and trains for pupils
- Improve public transport links throughout the borough – engage with public transport providers to consider capacity and scheduling of local bus service to accommodate additional demand on routes
- Improve parking/traffic management at schools to accommodate additional vehicles
- Change start and finish times at schools

Specifically in relation to Welsh language schools and or faith school, respondents felt that these schools should be exempt from the change in criteria. Others also suggested that moving forward, more Welsh language schools could be built and the location of these schools on accessible sites close to public transport would be key.

## **POTENTIAL ALTERNATIVE OPTIONS ARISING OUT OF THE CONSULTATION FEEDBACK**

5.22 This section of the report sets out a number of options for Cabinet to consider. These have been developed as a result of the consideration of the feedback received from the public consultation and an analysis of the updated IIA.

5.23 **OPTION 1** – to remain with the status quo. This was the most widely supported response via the consultation when asked what could be done to reduce the impact of the proposal on the service user/family.

This option would of course have zero impact upon current eligibility criteria and therefore learners, however, this would also mean that no savings will be made. As indicated in previous reports, transport costs are continuing to increase, and would as such, continue to place pressure on the overall Council budget.

5.24 **OPTION 2** – to proceed with the proposal as outlined in the consultation – that mainstream English, Welsh and Faith primary and secondary school and college transport be provided in line with statutory distance criteria. This option (based on numbers as at December 2024) could mean a saving of c. £1.495m.

This option would deliver a significant financial saving whilst maintaining all other elements of discretionary provision and will mean that:

- learners would continue to be able to select their ‘relevant’ school in accordance with their preference of English medium, Welsh medium, or faith school.
- Provision of transport for children under statutory school age (dependent on spare vehicle capacity) and for children post-16 would continue (in line with statutory distances).
- Provision of transport for learners with Additional Learning Needs would

continue.

- 5.25 OPTION 3– to continue with the current provision for primary schools - i.e. to maintain the Council’s discretionary distance (1.5 miles) criteria of providing transport for all Primary schools (English, Welsh and Faith).

Secondary school and college transport would be provided in line with statutory distance criteria and this option (based on numbers as at December 2024) could mean a saving of c. £1.076m.

This option will deliver a significant financial saving whilst maintaining all other elements of discretionary provision and will mean that:

- learners will continue to be able to select their ‘relevant’ school in accordance with their preference of English medium, Welsh medium, or faith school.
- Provision of transport for children under statutory school age (dependent on spare vehicle capacity) and for children post-16 would continue (in line with statutory distances).
- Provision of transport for learners with Additional Learning Needs would continue.

As a result of choosing this option, based on data as at December 2024, 380 Primary school pupils would retain their discretionary entitlement. This is made up of 132 English medium pupils, 214 Welsh medium pupils and 34 pupils attending a Faith school. This could be considered a positive mitigation against some of the potential impacts identified via the public consultation and the revised IIA. By adopting this option, it would assist the Council in being able to demonstrate ongoing compliance with the requirement in the Learner Travel (Wales) Measure to promote Welsh medium education by maintaining current discretionary transport to primary pupils who live beyond 1.5 miles, which is in excess of the statutory requirement.

If implemented, the Council would continue to offer a more generous eligibility policy than 19 of the 22 councils in Wales. It should be noted that the other authorities currently providing transport at a discretionary level are reviewing their options.

- 5.26 All routes affected will be assessed to determine availability of a safe walking route. In circumstances where a walking route is considered to be unsafe and cannot be improved, the Council reserves the right to provide free transport below the statutory distance limits.
- 5.27 The table below illustrates the potential numbers of pupils and schools affected by any change and the potential savings.

<b>Category</b>	<b>Number of Pupils Affected</b>	<b>Number of Schools/Colleges</b>	<b>Potential Annual Savings</b>
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		<b>Affected</b>	
Primary	380	15	£351,500
English Medium	132	4	
Faith	34	1	
Welsh Medium	214	10	
Secondary	2030	12	£1,075,848.40
English Medium	1527	10	
Faith	0	0	
Welsh Medium	503	2	
College	170	2	£67,700.20
Coleg y Cymoedd	48	1	
Crosskeys College	122	1	
<b>Total</b>	<b>2580</b>	<b>29</b>	<b>£1,495,049.00</b>

## 5.28 Conclusion

Public finances across the UK are under significant strain. Central Government, Local Government, Health and other sectors are all facing challenges relating to the costs of delivering services far outweighing the level of funding available to the sector. On this basis, public sector bodies find themselves having to transform their provision, prioritise the delivery of certain services and, in some cases, cease services all together.

## 6. ASSUMPTIONS

- 6.1 The provided pupil numbers represent an approximate count of learners who do not meet the statutory distance criteria. Further evaluation is necessary to determine if safe walking routes are available.
- 6.2 The projected savings for each option are based on the current contract prices, which are set to expire in July 2025. This estimate does not account for potential cost changes for contracts starting in September 2025. Additional savings could be realised by reducing capacity and logistically merging routes for partially qualifying communities.

## 7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 A pre-consultation Integrated Impact Assessment (IAA) was completed and presented to Cabinet as part of the original cabinet report. This IIA was also made available to consultees as part of the consultation process in order for them to comment on some of the initial considerations identified in the IIA.
- 7.2 The IIA has been updated following the consultation, to take account of the feedback received and the appropriate mitigations have been included.

- 7.3 The IIA found that there are three negative, two potentially negative and three neutral equality and diversity implications based upon protected characteristics.
- 7.4 The IIA found that in relation to socio-economic duty, there is one negative, 4 potentially negative and 1 neutral implication equality and diversity implications.
- 7.5 With regard to the Council's Wellbeing Objectives as outlined in the Corporate Plan, there is likely to be one negative impact in that the withdrawal of home to school transport for some learners may have a limited impact upon school attendance. However, three positive implications were identified in relation to Enabling our communities to Thrive and to be Greener.
- 7.6 In relation to the Well-being of Future Generations (Wales) Act 2015, there are 3 areas identified where there is likely to be a positive impact and 3 areas where there is no direct/ neutral impact.
- 7.7 With regard to the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards, the IAA identified that the impact would be negative overall.

**[Link to full Integrated Impact Assessment](#)**

**8. FINANCIAL IMPLICATIONS**

- 8.1 The cost to the Council of delivering its current Home to School Transport Policy is estimated to be £12,014,621 in the current financial year 2024/25. Of this, the cost of delivering the discretionary provision, that is, at levels above that required by the Measure amounts to £2,409,875.
- 8.2 The proposed options would deliver savings amounting to £1.5m (Option 2) in a full year or £1.076m (Option 3) in a full year, based on current estimates.
- 8.3 Additional resources will be required to conduct safe walking route assessments on all routes affected by the removal of the statutory distance eligibility criteria for secondary. The initial assessments of circa 30 routes are estimated to cost up to a maximum of £150,000 procured via external consultancy services.
- Additional staff resources will be required to assist with ongoing eligibility reviews for transport applications and any challenges about route safety. This requires one Grade 6 post for 1 year at a cost of £42.5k £40,393.35 (inc. on costs).
- 8.4 It is recommended that up to £192,500 is allocated from the Authority's MTFP Contingency Fund to resource the above work.

## **9 PERSONNEL IMPLICATIONS**

- 9.1 If there are any changes to the discretionary distance eligibility criteria necessitates additional staff resources. One additional School Transport Officer, Grade 6 at a cost of £42.5k (inc. on costs), would be needed for one year to assist in reviewing all learners to determine eligibility and to handle the increased number of challenges and reassessments that the department will receive from non-qualifying families moving forward.

## **10. CONSULTATIONS**

- 10.1 The consultees listed below have been consulted on this report and its appendices. All responses have been encompassed within the body of the report.
- 10.2 As indicated previously, a public consultation was held from Monday 16<sup>th</sup> September to Monday 28<sup>th</sup> October 2024. Specifically, the consultation invited respondents to give their views in relation to several key areas:
- The impact of the proposed changes on respondents/families/children
  - The impact of the proposal in relation to choice or faith or Welsh language schools, opportunities for learners to use and promote the Welsh language and whether the proposal in any way treats the Welsh language less favourably
  - How any identified negative impacts could be reduced
- 10.3 A total of 991 responses were received by the closing date. A full summary of the responses can be found at Appendix 1.

### **[Link to the full consultation](#)**

- 10.4 The Home to School Transport Policy was discussed at Joint Scrutiny Committee on 23<sup>rd</sup> January 2025. It was requested that a safe route assessment be carried out on all affected secondary school routes prior to any Cabinet decision.

## **11. STATUTORY POWER**

### **11.1 Legislative Framework**

- 11.2 The Council has a number of statutory duties which are relevant to this policy which Members are reminded of, and have in their minds, prior to initiating any consultation and before taking any final decision(s) in respect of the implementation of any new Home to School Transport Policy. These are set out in detail below.

### 11.3 **The Learner Travel (Wales) Measure 2008**

The Welsh Government's Learner Travel (Wales) Measure 2008 (the 'Measure') sets out the current statutory duties of Local Authorities with regard to the provision of home to school transport. Statutory guidance is also provided by the Welsh Government in the Learner Travel Statutory Provision and Operational Guidance – June 2014 (the 'Guidance'). The requirements of the Measure are set out in Appendix 1.

### 11.4 **Education Act 1996**

Section 444 of the Education Act 1996 creates the offence on the part of a parent of failing to secure the regular attendance at school of a registered pupil. Section 20 of the Measure amends Section 444 to provide that a parent will have a defence to a prosecution if a local authority has failed to discharge, where required, their statutory duties under the Measure to make travel arrangements to facilitate the attendance of their child at school.

### 11.5 **Active Travel Action Plan for Wales and the Active Travel (Wales) Act 2013**

The action plan aims to address congestion and encourage people to walk and cycle more often. The Welsh Government estimates that one in five cars on the road at 8:50am on a weekday is doing the school run. Congestion in towns is therefore a serious issue. The Action Plan sets out the actions that the Welsh Government and its partners will take to encourage more people to walk and cycle for more journeys. It is hoped that this will not only improve the health of our young people, but also improve the health and well-being of those who live and work in the area.

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Appendices:

Appendix 1 Consultation Summary Report