

Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: OAQ(4)1831(FM)

Bethan Jenkins AM
National Assembly for Wales
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30th September 2014

Dear Bethan,

Following your question in Plenary on the 16 of September, I write to outline Welsh Government's position on the sale of school playing fields.

The use of school playing fields is a matter for local authorities. However, they must have regard to the School Premises Regulations 1999, which requires that minimum areas of "team game playing fields" must be provided for schools with pupils aged 8 years old and over.

The minimum area requirements for individual schools are calculated via a formula linked to the age and number of pupils at each school. Playing fields do not have to be provided on the site of a school or adjacent to it, but they must be close enough for pupils to reach them with sufficient ease. This may be on foot or using such reasonable transport as is available to them. These requirements are not negotiable.

In respect to change of use or works on land under their jurisdiction, local authorities are subject to all the usual processes. All necessary consents must be gained and where complaints are made, the National Assembly for Wales can choose to call in the application for determination. In addition, Planning Policy Wales sets out the Welsh Government's land use planning policies, and states: "All playing fields whether owned by public, private or voluntary organisations, should be protected except where facilities can best be retained and enhanced through the redevelopment of a small part of the site; alternative provision of equivalent community benefit is made available; or there is an excess of such provision in the area".

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Welsh Government therefore does not determine the disposal of school playing fields. Powers were provided to England under the School Standards and Framework Act 1998

requiring approval from the Secretary of State for the sale of any school land. However, the advice of the Sports Council for Wales at the time was that this was not the case for Wales.

Should Wales wish to adopt a similar policy to England, it would require primary legislation (to revoke S77 (9) of the School Standards and Framework Act 1998 to enable S77 to apply in Wales). However, there is no evidence at present to suggest that school playing fields in Wales are being disposed of on a regular basis.

The Welsh Government expects local authorities to consider the need for playing fields and playground facilities in the development of capital investment programmes. However, there are schools where the restricted nature of the site they occupy means grassed play areas and playing fields cannot be provided on site. In these cases we do not expect local authorities to relocate schools to secure provision on site.

With regards Pontarddulais primary school, I am aware that a large portion of land may be sold by the local authority to raise capital. My understanding is that Swansea Local Authority has carried out a consultation with the school and has received feedback from the governing body. This information will be compiled and presented to the Local Authority Cabinet, so that a decision can be made over the coming months.

I hope this provides the information you need. I also am writing along these lines to Peter Black AM.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carwyn Jones', written in a cursive style.

CARWYN JONES