

**From:** (Redacted)

**Sent:** 07 June 2022 20:36

**To:** Correspondence mail - DB <Correspondence.Dawn.Bowden@gov.wales>

**Subject:** Cathays High School Expansion and linked Replacement Velodrome in Cardiff Bay

<https://gov.wales/atisn15767>

Hi

You may or may not be aware of the Maindy Velodrome situation.

The purpose of this email is to bring to your attention the appalling behavior by Cardiff Council in its capacity as developer – LEA and the non-existent involvement / actions of Cardiff Council in its capacity as charity trustee. And also the questionable behavior of the officers who dealt with the planning application for the new velodrome.

I am contacting yourself in the hope that you in your capacity as Minister for Sport will be able to trigger an investigation/ review into what is being proposed and see the serious failings of Cardiff Council at all levels in this matter, and ultimately halt these proposals going any further.

The Maindy site which includes the leisure centre, bmx track, velodrome, basket ball courts etc is covered by a 100yr old covenant. The charity land was gifted to the residents of Cardiff for recreation and well being in perpetuity.

In a nutshell Cardiff LEA wish to demolish the velodrome so they can put down artificial pitches which will then enable them to divert millions of pounds of education monies to the sports village to build the not fit for purpose replacement velodrome!

Sighting of a recent foi response ( link above) reveals the real reason they want the land to build the new school– it will be free - certainly not to benefit the charity, or indeed the beneficiaries. This transaction would mean the Council would gain materially and financially

They ran a school consultation last year which had the removal of the velodrome hidden in the depths.

There were 425 official objections to the plans with a further 100 received by scrutiny. There was also a petition which reached over 4000 signatures by the time the proposals came back to Cabinet in the October. In other words huge opposition.

The scrutiny committee were not happy with the proposals as has been the case all along. They were not convinced of the sustainability of 8 forms of entry and not convinced there was enough land to comply with 21<sup>st</sup> Century Schools requirements. They also weren't happy that the expansion was to accommodate out of catchment children (over 1000 pupils would be out of catchment) which was also Estyns conclusion. And they weren't convinced that the consultation had complied with the school organisation code. The project team stated was there enough space but provided no evidence to back this up and they were looking to change catchment areas. Changing catchment areas wont make the children any nearer, in fact how many schools would they pass to get to Cathays.

The proposals clearly highlighted non-compliance with LDP, One Planet Strategy and Wellbeing of Future Generations Act to which the project team replied that they would consider complying at the design stage!

The available land is only 46,000sqms – a school of the proposed size needs a minimum of 100,000sqms. As it is a constrained site they can double count artificial pitches but even if all the land available was replaced by plastic they would still fall short of the minimum.

The consultation stated they needed to demolish the velodrome in order to build the new school building. However it transpires that the land cannot be built on because of whats underneath – a former clay pit, then a pool which people drowned in and then finally a refuse tip.

Cardiff Council is both the developer and trustee of the charity land for these proposals. There is no way to separate one from the other.

Throughout the whole process the developers (i.e. LEA) proposals have sailed through Cabinet against the wishes of scrutiny and the beneficiaries

There is a huge conflict of interest which the Charity Commission are aware of. The Council have yet to apply to the commission to change the use of the land and remove the covenant. When they do, the Commission will want to see evidence of how they have managed conflict and that the trustee is acting in the best interests of the charity and beneficiaries. The ability to manage the conflict evaporated when the decision was made at Cabinet last October to build on the charity land. All the so called consultations that have taken place have resulted in overall opposition for the replacement velodrome and the school.

The latest consultation detailing a land swap (first the beneficiaries were aware of it although developer had been privy to the information since last September) was advertised in such a way that it would get the least attention and response – miniscule advert in the western mail which only has sales over just over 7000 for the whole of Wales, with a link to information which didn't have any information. It was only on the 8<sup>th</sup> day after notice was published that it appeared on the council website. You can only send comments by email so vast number

The Council as trustee has had no engagement with beneficiaries in any shape or form to this day. Questions sent on the land swap – which map is correct and is all or part of covenant being removed have not been answered. The Council have even refused to say or provide a map detailing what is going where on the charity land. Not really the actions of a charity trustee acting in the best interests.

We have asked the local councilors to arrange a public meeting to answer questions and concerns on this latest consultation. The information supplied is woefully lacking, contradictory and has thrown up many issues, especially the Valuation in the surveyors report. In other words residents do not have enough information to make an informed response.

The councilors have refused.

What is even more concerning is that now we have a so called consultation on the land swap the trustee must have accepted the findings in the surveyors report.

The business case for the replacement velodrome is yet to be brought back to Cabinet for approval. The current design is not fit for purpose and if it doesn't change 99% of the current users at Maindy will not transfer. This will result in no business case for the new velodrome.

The planning application for the new velodrome was passed on the 3<sup>rd</sup> March even though the officers were in receipt of the letter from the Maindy Flyers which rendered it not fit for purpose. Further information on this can be found in the attached doc Callvelodrome.

Both the school expansion and replacement velodrome rely on each other to proceed. So if something holds up one, it will delay the other. However both are reliant on the covenant being lifted.

The school proposals need to be approved by the charity commission, then planning and then 21<sup>st</sup> century funding. It is not until all these have been approved that the council could even consider starting any work on the velodrome. In saying that though, if the velodrome business case fails the school cant proceed.

All I can say is because they've lumped the school and velodrome together as one its got complicated.

Apologies for information overload but this is just a snapshot of what is currently happening. I have attached a number of documents to give you a taster of how things have been playing out since

these proposals were brought to Cabinet. I have also attached copies of Charity Commission submissions.

Why am I contacting you now – because I found out today that our application to call in the velodrome plans should have been submitted before the planning committee made a decision. We were under the impression that you could request a call in if you had reason to believe and you could evidence the planning decision was incorrect.

Im not sure what you can do if anything at all, but would really appreciate if you could find the time to look over the documents. I would welcome any thoughts or advice you could give me on this matter.

Regards: (Redacted)

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