



**Report of the Cabinet Member for Education Improvement,  
Learning and Skills**

**Special Cabinet – 23 January 2020**

**Contract Award and Capital Programme Authorisation  
for the New Build Replacement of YGG Tirdeunaw**

<b>Purpose:</b>	<ul style="list-style-type: none"><li>• To approve the scheme for the new build YGG Tirdeunaw subject to confirmation of grant and contract with Welsh Government</li><li>• To seek authorisation to award the construction contract to Tender Number 2 subject to the confirmation of grant and contract with Welsh Government.</li><li>• To note the requirement to modify the implementation date to enlarge YGG Tirdeunaw in line with the proposed contractor appointment and updated project timeline, and that a further report will be brought to Cabinet prior to the original January 2021 implementation date, to seek approval to the delay and of the modification to the implementation date.</li></ul>
<b>Policy Framework:</b>	<ul style="list-style-type: none"><li>• QEd Programme and Strategic Outline Programme for Band B of the 21<sup>st</sup> Century Schools and Colleges Programme</li><li>• Asset Management Plan</li><li>• Contract and Financial Procedure Rules</li><li>• The Revenue Budget 2019/2020 and the Capital Budget 2018/2019 to 2023/25 approved by Council on 28 February 2019.</li></ul>
<b>Consultation</b>	Access to Services, Finance, Legal, Corporate Building Services and Procurement.
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet award the contract for the remaining design and construction of a new build for YGG Tirdeunaw on land in the ownership of the Council at Heol Gwyrosdd to Tender No.2, subject to confirmation of grant and contract with Welsh Government;

- 2) The capital scheme as detailed together with the financial implications is approved in line with FPR7, subject to confirmation of the grant and contract with Welsh Government.

**Report Author:** Louise Herbert-Evans

**Finance Officer:** Ben Smith

**Legal Officer:** Debbie Smith

**Access to Services Officer:** Rhian Millar

## 1. Introduction

- 1.1 The Welsh Government (WG) formally confirmed on the 7 December 2017 that the envelope for Band B of the Council's 21<sup>st</sup> Century Schools and Colleges / QEd Programme was approved in principle with an estimated programme envelope cost of £149.7 million, since amended to £149.5m, to reflect the reciprocal increase in the Band A programme. This is subject to the approval of individual project business cases.
- 1.2 The approval in principle of the Strategic Outline Programme for Band B does not commit the Council, since the final approval of any capital allocation from the WG is subject to the submission of further detailed business cases in respect of each specific project.
- 1.3 Swansea Council's Quality in Education (QEd) / 21<sup>st</sup> Century Schools and Colleges Band B Programme focuses on an investment need which reflects the challenges remaining across our schools. The Band B programme remains consistent with local policies, priorities and commitments, as well as the priorities and specific criteria set down by the WG as follows:
- To provide an efficient and effective educational infrastructure that will meet current and future demand for places by 2024
  - Ensuring the right size schools in the right location, with enough places to deliver Welsh and English medium education, whilst ensuring effective and efficient use of the educational estate
  - Reducing backlog maintenance costs by at least 50% whilst improving any category C or D condition buildings to A or B
- 1.4 The Council's 21<sup>st</sup> Century Schools and Colleges Programme Capital Expenditure & Financing 2018/19 - 2023/24 provides an outline spending profile for the priority projects. Included within this phase of priority projects is an enlarged and relocated school build for YGG Tirdeunaw and a Flying Start setting.

- 1.5 A joint strategic outline /outline business case (SOC/OBC) was approved by WG in November 2018 and a supplementary Welsh medium capital grant allocation approved in December 2018.
- 1.6 Planning consent for the re-development of part of the site at YGG Bryntawe to create the 2.5 form entry plus nursery and Flying Start new school accommodation was approved on 5 September 2019.
- 1.7 A statutory consultation process was carried out in order to increase the capacity of the school from 420 full time pupil places to 525. This was approved by Cabinet in March 2019, with an anticipated implementation date of January 2021. However, due to the extended period of design work and planning requirements the new school build is anticipated to be ready to open to pupils in autumn 2021. Following the contractor appointment and once works have progressed, there will be greater confidence around the proposed revised implementation date. The Governing Body of the school, in accordance with the School Organisation Code, will be formally consulted on the delay and proposed revised implementation date. A further report will then be brought to Cabinet seeking approval to the proposed revised implementation date. The approved catchment area changes will be unaffected.
- 1.8 Approval was given under a Delegated Powers Report in June 2018 to commit £301,291 to the capital programme to fund the development of the above project and design fees.
- 1.9 A Full Business Case (FBC) will be submitted to WG in January 2020, with ministerial outcome due in February 2020.

## **2. Description of the scheme**

- 2.1 The proposal is for a new purpose built 2.5 form entry (525 pupils plus nursery) Welsh medium school build to replace the existing primary school YGG Tirdeunaw, located at a separate site which is no longer fit for purpose, together with Flying Start facility which will provide 24 places per morning and afternoon sessions for pre-schoolers. The site location plan is attached at Appendix 1.
- 2.2 The site for the new school location is on land at YGG Bryntawe, Heol Gwyrosydd sitting within the predominantly residential area of Penlan, Swansea.
- 2.3 The Heol Gwyrosydd distributor road, links with the B4489 Llangyfelach Road, some 750m to the east and the A483 Carmarthen/ Pontarddulais Road which is located approximately 2km to the west.
- 2.4 The site which is generally level in nature extends to approximately 2.57 hectares and is located within an area of existing education and recreational uses. The site is bound to the north by the existing YGG Bryntawe school, to the south and south west by residential uses, a

social club and a Police Station, and to the east by the civic amenity site and sports pavilion.

- 2.5 The development will include a purpose-designed coach park that in the main will serve YGG Bryntawe, however, designed to accommodate the demand in growth and the school transport requirements for the Welsh medium primary school.
- 2.6 The development has been designed to meet with the Sustainable Drainage Policy (SUDs) which became enforceable from 7 January 2019.
- 2.7 The development will include the provision of two new junior pitches and a multi-use games area, which will be made available for community use, subject to the further development of a management user agreement in line with the Corporate Landlords lettings policy.
- 2.8 Provision will include a dedicated car park for staff and visitors with the provision of seven electric vehicle-charging points (EVCPs). (The charge and management arrangements for the EVCPs are subject to further review and agreement). To the frontage of the site there will be vehicle pick up and drop off points for parents, and appropriate highway safety improvements in accordance with planning conditions.

### **3 Objectives of the Project**

- 1. Provide sustainable, fit for purpose, 21<sup>st</sup> Century accommodation for YGG Tirdeunaw by autumn 2021
- 2. Provide replacement accommodation for the existing Flying Start setting at Mynyddbach, to accommodate 24 morning and afternoon session places.
- 3. Balance the demand and availability of Welsh-medium places by autumn 2021 to align with the Welsh Education Strategic Plan (WESP)
- 4. Reduce backlog structural maintenance by £1.332m by autumn 2021
- 5. By January 2022 remove condition category C assets mitigating business continuity risks.
- 6. Improve building efficiency maximising use of assets, improving operational efficiency and use of all relevant resources by autumn 2021.

### **4 Procurement**

- 4.1 The SWWRCF is due to expire on the 31 January 2020. Contracts based on this framework agreement are therefore required to be awarded before the end of the term of the framework agreement itself.
- 4.2 A mini tendering exercise has been undertaken through the e-tender portal which commenced on 4 October 2019 inviting six bidders from the SWWRCF Contractor Framework LOT10.

- 4.3 The tender was opened in accordance with the Council's Contract Procedure Rules on 6 December 2019.
- 4.4 Two tenders were returned and were evaluated in line with Contract Procedure Rules. A tender evaluation panel was held on 11 December 2019.
- 4.5 The Contract Award Report of 19 December 2019 and at Appendix 4 sets out the tendering procedure.
- 4.6 Tender 1 - £9,322,544.42 (including bond)  
Tender 2 - £9,614,551.00 (including bond)
- 4.7 The tender has been scored as detailed in the tender document.

There are two parts to the scoring process, with maximum points available as set out below.

Tender Assessment	Finance	Quality
Available Points	2100	900

Finance: this was assessed by the Corporate Building Services (CBS) Quantity Surveyor. Full points are awarded to the lowest tender and points are awarded to other tenders in proportion to the financial variance to the lowest tender.

Quality: the six quality questions each have a 20 point score. These questions were assessed by a panel of subject matter experts from CBS, Education and the consultant team. A weighting is applied to the average score for each question to give an overall question score as detailed in the tender document, scores are then totalled to give an overall quality score

Financial and Quality scores are then added together and the tenderer with the highest score is recommended for the award of contract.

Tender 1 = 2610  
Tender 2 = 2623

The Tender Evaluation Panel has recommended Tender No.2 is approved for contract award in accordance with the Council's Contract Procedure Rules.

- 4.8 Any contractual liabilities/obligations with the successful tenderer will be covered by appropriate contract documentation to be prepared and approved by the Chief Legal Officer.

4.9 The overall project cost falls within the WG cost standard for schools, taking account of extended site abnormal costs which include ;

- Sustainable drainage design
- Land remediation
- Bus park provision

Therefore officers are satisfied that the tender provides value for money.

## **5. Finance**

5.1 The financial implications summary is attached at Appendix 2.

### **5.2 Capital**

5.2.1 WG funding for Band B of the 21<sup>st</sup> Century Schools and Colleges Programme is being provided through £600m capital and £500m revenue funding for the whole of Wales. It is proposed that the capital investment project within this report is funded from traditional capital streams. It was announced by WG on the 21 November 2018, that for Band B the grant rate for capital projects will be increased to 65%. (The intervention rate for special schools and PRUs will be increased to 75%). However, the programme envelope remains the same.

5.2.2 The total cost forecast detailed in the Capital Budget as reported to and approved by Council on the 20 July 2017, and also included in the Band B approved Strategic Outline Programme was £10.938m. This was for a 2 form entry school (420 pupils plus nursery) with halls, nursery and other areas future proofed to 2.5FE plus Flying Start.

5.2.3 Additional Welsh medium capital funding of £1.27m was approved in principle by WG in December 2018. This was to increase the capacity to 2.5 form entry (525 pupils plus nursery).

5.2.4 The project scope also includes provision for;

- SUDs regulations released 7 January 2019.
- A new coach park to improve the existing traffic arrangements.
- Additional highway safety improvements
- Land remediation addressing biodiversity requirements.

5.2.5 The cost breakdown for the project as at 19 December 2019 is set out below.

	<b>Cost breakdown</b>	<b>£</b>
1	Construction	8,994,685.95
2	Surveys and external fees*	619,865.05
	<b>Sub- Total Contract Value</b>	<b>9,614,551.00</b>
3	Loose Furniture inc. signage	58,044.00
4	Additional Traffic Measures	330,000.00
5	Statutory Utilities (PS)	150,000.00
6	Electric vehicle charging points and pitch line marking	35,000.00
7	CBPS Fees	278,072.00
8	Education Fees	98,000.00
9	Digital Learning and fees	97,000.00
10	Decant/security and decommissioning of existing site	252,500.00
11	Pre-construction costs	301,291.00
	<b>Total</b>	<b>11,214,458.00</b>
12	Optimism bias @ 3%	336,433.74
	<b>Total</b>	<b>11,550,891.74</b>

5.2.6 The project value includes a provisional sum for retained risks identified at the time of reporting, which are;

- £150,000.00 to address the statutory undertakers (utilities) works
- £35,000.00 to implement electrical vehicle charging points and pitch line marking.

5.2.7 The Full Business Case will be submitted in early January for consideration by WG Capital Panel.

5.2.8 £10.281m is to be funded from Band B of the 21<sup>st</sup> Century Schools and Colleges Programme, based on the revised intervention rate of 65 % funding by WG and 35 % by the Council, which falls within the initial cost forecast.

5.2.9 The remainder is proposed to be funded from the Welsh medium grant of £1,270,000.00 which would be 100% funded by WG.

5.2.10 Based on the current cost-plan as referenced above this would require a local contribution of £3,598,000 from the overall net funding requirement based on a 35% contribution for the Band B element.

5.2.11 Until the Council receives the offer of the grant from WG, the successful contractor will not receive confirmation to proceed with the project.

5.2.12 The increase in cost of the project has since been incorporated within the Band B programme funding forecast submitted to WG in the 19 October 2019.

## 5.3 Revenue

- 5.3.1 Schools are funded from an overall delegated budget – the Individual Schools Budget (ISB). There is a funding formula that allocates a budget share to each individual school from the ISB. The floor area of the school will increase and this will result in an increase of budget share.
- 5.3.2 The estimated backlog maintenance of £1.332m which is a mix of both capital and revenue costs linked with the shared former Daniel James Community School buildings would be removed.
- 5.3.3 There will be an increase in business rates, energy costs and cleaning etc due to the increase in floor area, however the new buildings would be more energy efficient with the possibility of income from community use and the childcare facility. All additional revenue costs will be met from existing budgets.

## 6.0 Delivery Timescales

Key Milestones	Date / Month	Year
Contract Award	23 January	2020
Construction Start	11 March	2020
Construction Completion	30 August	2021
Set up period	31 August – 20 September	2021
Facility opens to pupils	21 September	2021

## 7 Education Service Delivery

- 7.1 A transition plan to the new facility will be further developed in line with the construction programme to minimise any disruption to teaching and learning.

## 8 Property Implications

- 8.1 The new YGG Tirdeunaw site is part of the larger YGG Bryntawe site which is Education land within Council ownership. The development area fronts Heol Gwyrosydd on land which is under- utilised by the secondary school, Leisure and the wider community.
- 8.2 The YGG Bryntawe Governing Body have been fully consulted and have agreed to the strategy for the development and release of the land to enable the construction of the Welsh Medium primary school.
- 8.3 The existing YGG Tirdeunaw building and the wider host site of the former Daniel James Community School will be fully decommissioned. The strategy for the re-development of this site is to be considered as part of the wider asset review and strategic development options



associated with the delivery of Swansea's 21 Century Schools and Colleges Programme.

## **9. Well Being of Future Generations**

- 9.1 As part of this process we have also considered the Well-being of Future Generations Act. The Act ensures that public bodies think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.
- 9.2 Band B of the 21<sup>st</sup> Century Schools and Colleges Programme is based upon a consistent and objective assessment of each sector and school catchment, reviewing current pupil numbers and capacities with projected future demand for places. This has demonstrated that there is a continued and sustained need for Welsh Medium Primary provision within Swansea
- 9.3 The new facility also provides extensive opportunities to provide additional family learning support during the day as it will be a valuable space within which will support a function of co-ordinated delivery of actions agreed by the multi- disciplined practitioners involved, to ensure that children and families receive an effective service which is regularly reviewed.
- 9.4 The development itself incorporates a hall and a studio; these capable of being available for community use subject to booking and letting arrangement with the Council. Externally, more appropriate recreational space is provided for pupils and provides opportunities to enhance community use of the site at YGG Bryntawe.
- 9.5 All projects have a communication plan, which is reviewed regularly. This includes the engagement strategy; in this case there has been extensive engagement with the other stakeholders including the wider community.
- 9.6 The school (governors, head, staff, pupils, parents) have been fully engaged since project inception, and this will continue throughout the lifecycle of the project to ensure that the views of stakeholders are fully taken into account.
- 9.7 The new building will not only offer greater opportunities for extended curriculum activities, it will also improve accessibility, safeguarding and security, and will be accredited to BREEAM excellent standard (Building Research Establishment Environmental Assessment Method) energy efficient and reduce current CO2 emissions in the environment.
- 9.8 The project will also be subject to community benefits targets, which will include;
- STEM Engagement target of 150 hours per million investment.

- Provide opportunities for NEETs and Long Term unemployed (benchmark of one FTE per million per construction project)
- Jobs created (52 weeks per million investment on each construction project)
- 25 person training weeks provided per million investment
- 1 apprentice per million investment per construction project.
- 85% of waste diverted from landfill
- Max 10 tonnes waste per million

## **10. Equality and Engagement Implications**

10.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to;

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Our Equality Impact Assessment process ensures that we have paid due regard to the above.

10.2 An Equality Impact Assessment (EIA) has been completed and continues to be reviewed as the project progresses. An amended version is attached in Appendix 3. The proposals are found to be relevant to the following characteristics:

10.3 (0-18) – YGG Tirdeunaw is a Welsh-medium primary school. This project will have a very positive impact on the education of all the children who attend the school in the future. As we are looking to build the school on a new site this should avoid any disruption to those currently attending the school.

10.4 (Older People 50+/Any other age group) – The staff, parents, carers and wider school community will benefit greatly from improved facilities to deliver education to all pupils and increase the opportunities for the wider school community to experience and use the Welsh language .

10.5 Disability – The design, delivery and implementation of this project will take full consideration of the social model of disability, which recognises that people are disabled by the barriers of society (e.g. physical, environmental, organisational, and attitudinal, communication, etc.) rather than by any physical condition. The design of any new building, the re-modelling and the running of the school in the future will ensure that ALL the pupils and staff can make the most of their improved environment.

- 10.6 Welsh – YGG Tirdeunaw is a Welsh medium primary school and as a result this project will have a positive impact on the Welsh language. The project is part of the wider Welsh in Education Strategic Plan that is looking to increase the number of places available in Swansea's Welsh-medium schools.
- 10.7 Poverty/social exclusion – There are high levels of deprivation in this area and providing the children and the community with this improved facility could give access to courses for adults and access to additional extra-curricular activities. Due to the possible changes in catchment areas it is important to consider the impact this could have on learners and their families. Some pupils will inevitably live further away from the new site and this would increase their travel time, however, the sites are less than a mile apart by available walking route and any pupils more than 2 miles away or where there is no available walking route would be offered home to school transport.
- 10.8 Community Cohesion – It is possible that the improved facilities will provide increased opportunities for the community to make the most of the school's facilities. Due to the possible changes in catchment areas it is important to consider the impact this could have on community cohesion as the schools moves (less than 1 mile) from one community to another. If the proposal goes ahead the school will work with all communities to ensure that the schools continue with its inclusive ethos that brings communities together for the benefit of all.
- 10.9 All stakeholders will continue to be involved as the project is delivered and the EIA will remain open and will continue to be updated throughout the project.

## **11. Legal Implications**

- 11.1 The South West Wales Regional Framework led by Carmarthenshire County Council has been established in accordance with EU legislation. The Contract Award is recommended for approval in accordance with the Council's Contract Procedure Rules.
- 11.2 Any contractual liabilities/obligations with the successful tenderer will be covered by appropriate contract documentation to be prepared and approved by the Chief Legal Officer.
- 11.3 The Council must ensure that it complies with the terms and conditions of any offer of grant funding issued by WG.

## **Background Papers:**

Quality in Education (QEd) – Emerging Proposals and Investment Priorities for the next band of the 21<sup>st</sup> Century Schools and Colleges Programme. Cabinet 20 July 2017

Delegated Powers Report to Cabinet Member for Education, the Chief Education Officer, the Head of Financial Services, and the Head of Legal, Democratic Services and Business Intelligence. Band B – Progression of early projects to Full Business Case YGG Tirdeunaw - 28 June 2018

**Appendices**

Appendix 1 Site Location Plan

Appendix 2 Financial Implications

Appendix 3 Equality Impact Assessment

Appendix 4 Contract Award Report

# Appendix 1 Site Location Plan



## Appendix 2 Financial Implications

Financial Procedure Rule 7

Appendix 2

### FINANCIAL IMPLICATIONS : SUMMARY

**Portfolio: EDUCATION**

**Service** : PRIMARY /SECONDARY  
SCHOOL PROVISION

**Scheme** : Band B – YGG Tirdeunaw relocated new  
build 2.5FE

<u>1.1. CAPITAL COSTS</u>	2018/19 £'000	2019/20	2020/21	2021/22	2022/23	TOTAL £'000
<u>Expenditure</u>						
Pre-construction fees and construction costs.	165	252	8,028	2,923	183	11,551
<b>EXPENDITURE</b>	<b>165</b>	<b>252</b>	<b>8,028</b>	<b>2,923</b>	<b>183</b>	<b>11,551</b>
<u>Financing</u>						
100% WG WM Grant	0	0	1,252	18		1,270
65% WG 21 Century schools grant	0	0	6,564	0	119	6,683
35% LA contribution	165	252	212	2,905	64	3,598
<b>FINANCING</b>	<b>165</b>	<b>252</b>	<b>8,028</b>	<b>2,923</b>	<b>183</b>	<b>11,551</b>

<u>1.2. REVENUE COSTS</u>	2018/19 £'000	2019/20	2020/21	2021/22	2022/23	FULL YEAR £'000
<u>Service Controlled - Expenditure</u>						
Employees						0
Maintenance	N/A					0
Vehicle running costs						0
<b>NET EXPENDITURE</b>						<b>0</b>
<u>Financing</u>						
<b>FINANCING</b>	N/A					<b>0</b>