



Report of the Cabinet Member for Education and Learning

Cabinet – 19 September 2024

Capital Programme Authorisation for the Commitment of Funding to Support the Design Development of Ysgol Gyfun Gymraeg Bryn Tawe as Part of the Sustainable Communities for Learning Programme

Purpose:	<p>To seek authorisation to appoint a contractor to carry out the pre-construction phase design (RIBA 3-4 with Planning Consent) for YGG Bryn Tawe.</p> <p>To comply with Financial Procedure Rule No 7 (Capital Programming and Appraisals) to commit the sum of £1,893,788 for pre-construction design expenditure.</p> <p>To comply with Contract Procedure Rule 18, the evaluation and award of contracts.</p>
Policy Framework:	Sustainable Communities for Learning, Financial Procedure Rules & Contract Procedure Rules.
Consultation:	Finance, Legal, Access to Services.
Recommendation(s):	<p>It is recommended that:</p> <ol style="list-style-type: none">1) The sum of £1,893,788 is committed to the capital programme.2) Cabinet approves the award of the Stage 1 contract for the pre-construction phase design for the development of YGG Bryn Tawe to Contractor 1 in the sum of £1,539,664.90, which is considered to represent the most economically advantageous tender and that which gives best value to the authority.
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1. Introduction

- 1.1 The council's approved [Capital Budget & Programme 2023/24 - 2028/29](#) reflects the new draft rolling Sustainable Communities for Learning Programme.
- 1.2 Included within the first phase of priority projects is the development of YGG Bryn Tawe to increase school capacity supporting the requirement for additional Welsh medium secondary places set out within the Welsh Education Strategic Plan (WESP).
- 1.3 A joint Strategic Outline Case / Outline Business Case (SOC/OBC) was approved by Welsh Government (WG) in December 2021 and a complementary Welsh medium capital grant allocation approved in February 2024.
- 1.4 The approved SOC/OBC set out several options to address the requirement to provide suitable teaching accommodation allowing the increase in capacity from 1243 to 1431 (188 places), together with the preferred service solution, a mix of new build and the enhancement of existing provision.
- 1.5 The complementary Welsh medium grant provides opportunity for additional enhancements, which will not only address accessibility but facilitate growth in Welsh medium education, the use of the Welsh language and allows potential for a further managed increase of 60 places.
- 1.6 On completion of detailed design, and once Planning and Sustainable Drainage (SuDS) consent has been achieved, a Full Business Case (FBC) will be submitted to Welsh Government for approval. It is not anticipated that this will take place until November 2025.

2. Objectives of the project

- Provide 188 additional Welsh medium secondary places for pupils aged 12-19. Allowing potential for a managed increase to a maximum of 248 places.
- Provide a school environment in line with BB98 guidelines.
- Provide a more suitable learning environment for post 16 learners.
- Provide a more suitable high quality learning environment for pupils with Additional Learning Needs (ALN).
- Improve access and on-site traffic arrangements.
- Reduce backlog maintenance by £577,000 as well as future maintenance liabilities.

2.1 Key outcomes and benefits

- Sufficient and suitable provision consistent with BB98 to meet the needs of secondary pupils based on current projections to 2027.

- Potential for improved retention of post 16 learners in Welsh medium provision.
- Improved faculty organisation.
- Reorganised external site arrangements addressing safeguarding requirements.
- An ALN provision that incorporates a suitable layout which promotes independence.
- Improved independent learning areas for post 16 learners.
- A net- zero operational carbon new build facility, and realisation of decarbonisation opportunities for remodelled areas.
- Improved recreational facilities including a 2G surface.
- Enhanced opportunity for the co-located YGG Tirdeunaw primary school and YGG Bryn Tawe secondary school to operate more closely, sharing best practice, and aiding and encouraging transition.
- The co-located leisure centre can operate within a clear demised area and legal arrangements with 3rd party leaseholder improved.
- Better opportunities for community/parental engagement through the provision of flexible resources areas, fully accessible accommodation and improved parking.
- Reduction in future capital liabilities associated with maintaining inefficient buildings.

Key milestones

Milestone	Month	Year
Outline Business Case – WG approval	December	2021
Concept Design Development	February	2024
Pre-Construction Design - Tender Period	March/May	2024
Pre-Construction - Contract Award	September	2024
Detailed Design Stage	June	2025
Planning Application and SAB approvals	July	2025
Full Business Case approval	November	2025
Construction Contract Award	November	2025
Contract Legals Complete	March	2026
Construction Start	June	2026
New Building Occupied by Pupils	May	2027
Beneficial use of all new areas	December	2027

3. Procurement

- 3.1 Design to RIBA Stage 2 including the production of indicative floor plans and accommodation schedule was completed in March this year; this has been funded from the local authority's contribution.
- 3.2 The next stage of detailed design will take this project to RIBA Stage 4 including the submission of planning and SuDS applications. The contractor will work collaboratively with the school, the council and its

stakeholders, to develop the project and from there to progression to contract price for the construction works.

- 3.3 A mini competition tendering exercise for first stage pre-construction design was undertaken in May 2024 inviting all bidders from Lot 6 of the South West Wales Regional Contractor Framework (SWWRCF). The first stage tenders were invited as part of a two-stage process under the terms and conditions of the Framework Agreement.
- 3.4 Two tenders were returned and opened in accordance with the local authority's Contract Procedure Rules.

		Quality	Price	Total
1	Contractor 1	424	500	924
2	Contractor 2	431	493	924

- 3.5 Following the initial scoring both contactors were requested to complete the Compensation Event Assessment, which had not been sent out with the tender document. The percentage additions to the Compensation Events were included in the Contract Data Part 2 in the tender, but since the tenderers were not advised at time of tender that the percentages were to be scored, tenderers were advised they could amend the rates.
- 3.6 When the assessments were received, the value of the assessment was added to the tender sum and the price reassessed. The results were marked out of 1000.

		Quality	Price	Total
1	Contractor 1	424	500	924
2	Contractor 2	431	491	922

- 3.7 Contractor 1 has been approved by the Tender Evaluation Panel and recommended for Contract Award by the Responsible Officer and Finance, Legal, Democratic Services and Business Intelligence and Commercial Services in accordance with the Council's Contract Procedure Rules.
- 3.8 The tender value for the Stage 1 contractor appointment is £1,539,664.90.
- 3.9 Prior to the full scheme being approved (and before the formal grant funding agreement with WG is finalised), the local authority must proceed with detailed scheme design, submit and have approved planning and SuDs applications for the development with the support of the chosen contractor. This will enable the Stage 2 contract to be let for the construction to proceed in Spring/Summer 2026.

4. Integrated Impact Assessment Implications

- 4.1 The Council is subject to the Equality Act 2010 (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure 2011, 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 Acts.
 - 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.
 - Deliver better outcomes for those people who experience socio-economic disadvantage.
 - Consider opportunities for people to use the Welsh language.
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 4.2 The Well-being of Future Generations (Wales) Act (WFGA) 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals.
- 4.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.4 An IIA screening was undertaken in March 2018 and a full report completed in July 2021.
- 4.5 Evidence is that 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 new build and the running of the school would continue to ensure that all pupils can make the most of their improved environment.
- 4.6 This programme supports the delivery of that statement.
- 4.7 The programme supports in every respect the WFGA, including supporting a sustainable Swansea, and carbon reduction.

4.8 All key stakeholders will be communicated with throughout the programme's delivery.

5. Financial Implications

Capital

5.1 The total commitment at stage 1 including all internal fees total £1,893,787.69, as broken down in the table below.

Contractor	£1,539,664.90
Professional Fees	£ 177,061.46
Client Fees	£ 61,586.56
Contingency	£ 115,474.87
Total	£1,893,787.69

5.2 The total funding requested has been profiled as set out in Appendix A.

Revenue

5.3 Where capital funding is used to add additional square meterage to the size of a school, this would lead to an increase in the rates bill for the school and an increase in the delegated budget share, as premises funding is based on gross floor area. In both cases, the increased funding would be found from within the overall delegated school's budget.

6. Legal Implications

6.1 The Council will need to comply with the terms and conditions attached to any grant funding referred to in this report.

6.2 All contracts for works, goods and services necessary to deliver the programme must be procured in accordance with the Council's Contract Procedure Rules and the relevant Procurement Legislation as appropriate. The contractual liabilities/obligations of the Council and any appointed contractors will be covered by the individual contracts entered into.

6.3 Delivering this programme will assist the Council in meeting its obligations under the Equality Act 2010 and the Well-being of Future Generations (Wales) Act 2015.

Background Papers:

Delegated Powers Report – 20 March 2019 – Band B Progression of projects to FBC YGG Bryn Tawe and Gowerton School

Report of the Section 151 Officer Cabinet – 15 February 2024 Capital Budget & Programme 2023/24 - 2028/29

Report of the Cabinet Member for Education and Learning Cabinet - 15 February 2024 Quality in Education (QEd) – Emerging Proposals and

Investment Priorities for the Sustainable Communities for Learning Strategic
Outline Programme (Rolling)

Appendices:

Appendix A - Financial Implications Summary

Appendix A

Financial Procedure Rule 7

FINANCIAL IMPLICATIONS : SUMMARY

Portfolio: Education
 Service: Planning and Resources
 :
 Scheme: YG Bryn Tawe
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		<i>includes spend prior to 22/23</i>						
1. CAPITAL COSTS		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	TOTAL
		£'000	£'000	£'000	£'000	£'000	£'000	£'000
		<u>Actual</u>	<u>Actual</u>	<u>Estimated</u>	<u>Estimated</u>	<u>Estimated</u>	<u>Estimated</u>	
Expenditure								
Stage 1 - Pre-construction		175	10	190	100	1,419	-	1,894
Stage 2: Construction						12,663	3,719	16,382
Net zero carbon						543		543
EXPENDITURE		175	10	190	100	14,625	3,719	18,819
Financing								
SOP rolling programme WG						11,000	879	11,879
SOP rolling programme LA		175	10	190	100	3,082	2,840	6,397
Net zero carbon WG						543		543
FINANCING		175	10	190	100	14,625	3,719	18,819
2. REVENUE COSTS		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	TOTAL
		£'000	£'000	£'000	£'000	£'000	£'000	£'000
Service Controlled - Expenditure								
Employees		) NA	) NA	) NA				0
Maintenance		) NA	) NA	) NA				0
Equipment		) NA	) NA	) NA				0
Administration		) NA	) NA	) NA				0
NET EXPENDITURE		0	0	0				0