



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

Cabinet – 21 February 2019

### 21<sup>st</sup> Century Schools Programme - New Build For Gorseinon Primary School

<b>Purpose:</b>	<ul style="list-style-type: none"><li>• To confirm the commitment to the Capital Programme of the project for the new build for Gorseinon Primary School subject to entering into a contract with Welsh Government, in accordance with Financial Procedure Rule 7.</li></ul>
<b>Policy Framework:</b>	<ul style="list-style-type: none"><li>• The Revenue and Capital Budget as reported to and approved by Council on the 6 March 2018</li><li>• QEd Programme and Strategic Outline Programme for Band B of the 21<sup>st</sup> Century Schools Programme</li><li>• Corporate Priority 1 - Safeguarding people from harm</li><li>• Corporate Priority 2 - Improving Education and Skills</li><li>• Corporate Priority 3 – Transforming our Economy and Infrastructure</li><li>• Corporate Priority 4 – Tackling Poverty</li><li>• Corporate Priority 5 - Transformation and Future Council development</li><li>• One Swansea Plan</li><li>• Asset Management Plan 2014-17</li><li>• Financial Procedure Rule 7.</li></ul>
<b>Consultation:</b>	Access to Services, Finance, Legal, Procurement, Corporate Building Services.
<b>Recommendation(s):</b>	It is recommended that:  1) The capital project as detailed together with the financial implications set out in Appendix 1 is approved, subject to entering into a contract with the Welsh Government.

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## **1. Introduction and background**

- 1.1 The budget book for 2018/19– 2024/25 includes in Band A £6.642m and Band B £500k for a new build for Gorseinon Primary School.
- 1.2 The project has been subject to the successful approval of a Business Case by Welsh Government (WG) and obtained planning approval in December 2015, application number 2015/2074.
- 1.3 The site on which it is proposed to construct the new school build is contained within Parc y Werin in Gorseinon, which was the subject of a Village Green application (VGA) in November 2015.
- 1.4 Consequently, the project was put on hold pending the outcome of that application. The VGA inquiry was held on the 14-16 February 2017.
- 1.5 The application to register Parc y Werin, Gorseinon as a Village Green was recommended for refusal by the Independent Inspector. The Inspector's report was considered by Swansea Council's Planning Committee on the 6 June 2017, when in accordance with the Inspector's recommendation, the application to register the land known as Parc y Werin as a Village Green was refused. The Planning Committee resolved that; the application for Village Green status at Parc y Werin be refused, and 'that no part of the land of the application site be added to the Register of Town or Village Greens under section 15 of the Commons Act 2006.'
- 1.6 Cabinet again considered this matter on the 19 October 2017, and resolved that;
  - a) The land currently held by the Council as housing and leisure land identified at Appendix A in the report is no longer required for the purpose for which it is currently appropriated;
  - b) The land at Parc y Werin, Gorseinon identified on the plan at Appendix A of the report be appropriated for the purposes of education under section 122 Local Government Act 1972, namely the construction of a new primary school building;
  - c) The capital scheme as detailed together with the financial implications set out in Appendix C of the report be approved, subject to entering into a contract with the WG;

- d) The area of land being approximately 3.212 acres, which is proposed to incorporate an all-weather pitch and Multi Use Games Area (MUGA) and is shown on the plan attached at Appendix B of the report, will form part of the new school grounds and as such will remain under the control of the school, but the (all-weather pitch and MUGA shall be made available for community use when they are not required to be used by the school, the details of which shall be set out in a community use agreement;
- e) The Head of Legal, Democratic Services and Business Intelligence be authorised to enter into any necessary documentation required to achieve the scheme.

1.7 A subsequent VGA application was made on the 3 November 2017 under schedule 2 paragraph 3 of the Commons Act 2006. An application was submitted to correct non-Registration or mistaken registration of the land at Parc Y Werin as a village Green. In November 2018 the Planning Inspector's decision was received stating that "no part of the land should be registered as a village green".

1.8 This has however resulted in a further delay to the commencement of the project and an increase in costs, and so this is now being brought back to Cabinet for further consideration.

1.9 The delay and increase in costs of the project has also required a change request to the Council's Strategic Outline Programme (SOP). This has been submitted to WG, and we are awaiting confirmation.

## **2. Description of Scheme**

2.1 Gorseinon Infant School and Gorseinon Junior School were amalgamated in September 2012. The new school is now called Gorseinon Primary School and now operates out of two sites, with the aspiration to move the new primary school from its existing sites.

2.2 The walking route used by the school between the infant site and junior site, is along the B4240 and then the B4296, which also then has to be crossed.

2.3 The only 'green' areas within the primary school are to be found at the junior site, which has drainage issues due to the geography and geology of the site and so can only be used during the driest months. In addition, even though the green area is within the curtilage of the school grounds, the public are accessing the school playing field off an adjacent public footpath via a 'kissing gate' situated on the boundary of the school site. As the green area is accessible to the public it has to be risk assessed prior to every use by the school.

2.4 Whilst the school are making use of the resources available to them as reported by Estyn in 2014, there is no appropriate transition from indoor

to outdoor learning environments, or immediate access to suitable habitat and grassed areas.

- 2.5 The most recent building condition survey report for the school, categorises the infant site as a C and the junior site as a C-, which means that the schools condition is poor with major defects. The condition of the school has continued to deteriorate despite efforts to undertake essential repairs.
- 2.6 The Business Case included appraisals of the shortlisted options;  
Option 5 - Extension and remodelling/refurbishment on Junior site  
Option 8 - New build at Junior site for single new build  
Option 9 - New Build at Parc y Werin which was the preferred way forward based on the outcome of the economic appraisals.
- 2.7 The Full Business Case, which included actual tender costs for Option 9, was approved by WG in January 2016.
- 2.8 The proposed capacity of the new build is 1.5 form entry (315 pupils) plus nursery, with hall, corridor and ancillary spaces designed to accommodate a 2 form (420 pupils) plus nursery entry school. It has been designed and set out in such a way that further classrooms can be added within the curtilage of the proposed school grounds to accommodate 2 form entry. This future proofed building would then be able to meet future demand arising from possible new developments in the locality.
- 2.9 The proposed new build for Gorseinon Primary School represents a land take of 3.212 acres from Parc y Werin currently incorporating two mini pitches, car park and a modestly equipped playground.
- 2.10 The proposals include for the relocation and upgrade of the playground, a modest allowance for the enhancement of the remaining facilities and/or other facilities in the locality and the provision for the school of an all-weather mini pitch and Multi-Use Games Area (MUGA). It is proposed to work with the school and community to design and establish a means by which these facilities can be shared between the school and the community, and establish a community use agreement.
- 2.11 The proposed site can accommodate the guidelines for external areas contained in Building Bulletin (BB) 99 with the exception of the full pitch requirement, however this can be fulfilled by the school utilising free of charge the retained facilities at Parc y Werin.
- 2.12 The other facilities, which would still be accessible to the community include:
  - Full size grass sports pitch.
  - Upgraded and re-sited playground.
  - Two bowling greens and pavilion.
  - Outdoor fitness equipment

- 2.12 Delivery of a purpose built primary school on the proposed site will offer opportunities to engage the community in a range of activities by enhancing amenities and facilities in the area. The proposal seeks to develop community engagement within the new school building and its school community, where this is demonstrated to be sustainable.
- 2.13 The proposals include for a 'zoned' area within the school building which incorporates the hall and a community room; these will be capable of being available for community use subject to booking with the school. It will also provide opportunities to provide family learning and after school clubs.

### **3. Objectives of the Scheme**

- 3.1 The construction of a new Gorseinon Primary School will provide:
- Pupils and staff with a safe, sound and fit for purpose school environment
  - An appropriate environment that facilitates an improvement in attainment levels across the whole age range of Gorseinon Primary School
  - Greater operational efficiencies
  - Community usage of school facilities

### **4. Financial Implications**

#### Capital

- 4.1 The WG announced its support in principle for an agreed programme of school building improvements that commenced in early 2012. This programme – termed Band A of the 21<sup>st</sup> Century Schools Programme - entails the WG providing a 50% contribution in relation to projects costing £51.31 million. The Council is providing the remaining 50% contribution.
- 4.2 The Capital Budget and Programme report presented to Council on the 10<sup>th</sup> February 2015 included a budget for Gorseinon of £6.320m.
- 4.3 This was then revised in the Capital Budget and Programme report presented to Council on the 9 February 2017 to £6.080million following receipt of tenders.
- 4.4 Following the delay due to the VGA in 2015, it was then anticipated that subject to Cabinet approvals, that the contractor would start on site in January 2018, and officers engaged in discussions with the successful contractor to agree the increase in cost applicable to the delayed start should the project proceed.
- 4.5 The successful contractor subsequently revised its costs due to the two year delay in start date and presented a revised cost submission which resulted in a revised project cost of £6,450,424.

- 4.6 As a consequence of the further delay, the successful contractor has again been requested to revise its cost submission and has retendered the sub-contract packages to obtain an updated tender sum, which resulted in a cost submission for the sum of £5,882,375.15.
- 4.7 Based on the information provided, current forecasts, analysis against the WG cost standard and the proposed site start date, officers have assessed the requested increase to be reasonable and justifiable.
- 4.8 The cost plan has been updated incorporating this uplifted tender sum, which has resulted in a project cost of £6,882,392. It has been possible to reduce some of the provisional sums in the cost plan so that some of the increased tender cost can be absorbed within the overall project cost.

The revised cost plan is below;

**Actual Cost based on tender of 1 February 2019**

Build Cost	£5,882,375.15
CBPS Fees	£240,000.00
Education Fees	£130,000.00
Digital Learning	£40,000.00
Decant	£120,000.00
Additional Traffic Measures	£300,000.00
	<u>£6,712,375.15</u>
O.B. @ 1.788%	<u>£120,017.27</u>
Community facilities enhancement	<u>£50,000.00</u>
	<u>£6,882,392.42</u>

- 4.9 A change request to the Strategic Outline Programme (SOP) has been submitted to WG and we are awaiting confirmation. Until the Council receives the revised offer of the grant from WG, the successful contractor will not receive confirmation to proceed with the project. Details of the revised estimated cost and funding are set out in Appendix 1. This assumes that the WG will fund 50% of the programme. The funding profile maybe subject to change in relation to the offsite highway works which are costed at £300k. There is a risk that the Council will be required to fund 100% of this cost in which case the Council would be required to fund an additional £150k.
- 4.10 The increase in cost of the project can be funded in part from savings made through unspent optimism bias on other now completed Band A projects, but will require an overall increase in the Band A programme envelope of £197,218 from £51.310m to £51.507m. This will however result in a saving against the Band B programme envelope, which included a sum of £500k for Gorseinon and will be reduced accordingly by £197,218, the balance of the £500k being reassigned to English-medium secondary projects.

- 4.11 The sum of £500k included in Band B was specifically included to recognise any increased costs and slippage, and is therefore sufficient for this purpose. The WG have advised that the funding is all incorporated in Band A, and this does not therefore result in a change to the total of the two programme envelopes, although the value transferred to Band A of £197,218 will not of course benefit from the increased intervention rates that have now been applied to Band B.

#### Revenue

- 4.12 The school's operational revenue costs will continue to be appropriately funded by way of budget share of the total schools delegated budget provided in 2018-19 budget and future years as set out in the medium term financial plan.
- 4.13 All schools are funded on a consistent and transparent basis and the new build on a single site will mean that the school no longer requires split site funding (which is provided to reflect the additional costs incurred when a school operates across more than one site).

### **5. Legal and contract procurement implications**

- 5.1 The original contract award was approved by Cabinet on 16 July 2015 and the successful contractor has subsequently undertaken pre construction works in order to develop the project. The contractual position between the Council and the contractor has been regulated to date through Letters of Intent to protect the Council's position.
- 5.2 Future contractual liabilities/obligations will be covered by appropriate contract documentation to be prepared and approved by the Chief Legal Officer. The Council's Contract Procedure Rules require increases in the original contract value to be reported and monitored.

### **6. Property Implications**

- 6.1 It is proposed that a further report is brought to Cabinet to consider the future of the existing sites following vacation by the school.

### **7. Equality and Engagement Implications**

- 7.1 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.

- 7.2 Our Equality Impact Assessment (EIA) process ensures that we have paid due regard to the above.
- 7.3 A full Equality Impact Assessment has been undertaken and updated in January 2019. (Appendix 2) It shows that this project will have a positive impact on;
- 7.4 *Age* – Gorseinon Primary School is a school for pupils aged 3-11 years. This project will have a very positive impact on the Education of all 3-11 year olds who attend the school in the future
- 7.5 *Disability* – The design, delivery and implementation of this project has taken 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 the new buildings and the running of the school in the future will ensure that ALL the pupils and staff can make the most of their new environment.
- 7.8 *Welsh* – All public signage within the school will be bilingual.
- 7.9 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.
- 7.10 The 21<sup>st</sup> Century Schools 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 and also the number of pupils nearest to each school. This has demonstrated that there is a continued and sustained need for primary provision to serve pupils in this locality.
- 7.11 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, and Cultural Services.
- 7.12 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.
- 7.13 This project is a good example of where the Council is seeking to incorporate the flexible and multiple use of assets. The site on which the new school is proposed to be built is within Parc y Werin. The construction of the school at this location would enhance and complement the existing uses at Parc y Werin; the full size grass sports pitch, two bowling greens and pavilion, and outdoor fitness equipment would be retained and the playground re-sited and upgraded. The



'zoned' area within the new school building will incorporate the hall and a community room; and these will be capable of being available for community use subject to booking with the school. It will also provide opportunities to provide family learning and after school clubs. The new all-weather pitch and MUGA will be made available for community use when they are not required to be used by the school.

- 7.14 It is hoped that the mixed use of Parc Y Werin and its enhanced facilities will encourage greater usage and participation in healthy activities, as well as a wider range of opportunities for wider community use.
- 7.15 The new building will improve accessibility, safeguarding and security, improve energy efficiency, reducing CO2 emissions and enhance the learning environment for the benefit of the school and wider community.
- 7.16 The project will also be subject to community benefits targets, which will include;
- STEM Engagement target of 100 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

**Background Papers:**

- 2015/2074 Land at Parc y Werin, Gorseinon, Swansea SA4 4UX - Report to Planning Committee 8 December 2015, and associated documents
- Report to Cabinet 16 July 2015 Cabinet - 21st Century Schools Programme – Gorseinon Primary School
- Capital Budget and Programme 2016/17 - 2020/2021 approved by Council 23 February 2017
- Report to Cabinet 19 October 2017 Cabinet - 21st Century Schools Programme – Gorseinon Primary School

**Appendices:**

- Appendix 1 Financial Implications
- Appendix 2 Equality Impact Assessment

## **FINANCIAL IMPLICATIONS : SUMMARY**

**Portfolio:** EDUCATION

**Service:** PRIMARY SCHOOLS

**Scheme:** Gorseinon Primary

<b><u>1.1. CAPITAL COSTS</u></b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2022/23</b>	<b>TOTAL</b>
	£	£	£	£	£	£	£	£	£
<u>Expenditure</u>									
	51,306	332,143	10,713	29,794	1,000	4,781,553	1,587,883	88,000	6,882,392
<b>EXPENDITURE</b>	<b>51,306</b>	<b>332,143</b>	<b>10,713</b>	<b>29,794</b>	<b>1,000</b>	<b>4,781,553</b>	<b>1,587,883</b>	<b>88,000</b>	<b>6,882,392</b>
<u>Financing</u>									
WG grant*		351,047	10,000			2,962,774			3,323,821
Own resources*	51,306		713	29,794	1,000	1,799,875	1,587,883	88,000	3,558,571
<b>FINANCING</b>	<b>51,306</b>	<b>351,047</b>	<b>10,713</b>	<b>29,794</b>	<b>1,000</b>	<b>4,762,649</b>	<b>1,587,883</b>	<b>88,000</b>	<b>6,882,392</b>

<b><u>1.2. REVENUE COSTS</u></b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2022/23</b>	<b>TOTAL</b>
	£	£	£	£	£	£	£	£	£
<u>Service Controlled - Expenditure</u>									
Employees )	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-15,040	-15,040
Maintenance )	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-15,615	-15,615
Vehicle running costs )	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>NET EXPENDITURE</b>								<b>-30,655</b>	<b>-30,655</b>
<u>Financing</u>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FINANCING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

\*The funding profile maybe subject to change in relation to the offsite highway works which are costed at £300k.