

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

8 MARCH 2022

### REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT

#### SCHOOL MODERNISATION PROGRAMME – HERONSBRIDGE SPECIAL SCHOOL

#### 1. Purpose of report

1.1 The purpose of this report is to seek approval to commence a statutory consultation process to make the following regulated alterations to Heronsbridge Special School:

- to increase the number of pupils for whom the school makes provision to 300; and
- to relocate the school from its current location at Eweny Road, Bridgend to Island Farm, Bridgend.

1.2 The proposed new school would open from the beginning of the autumn term 2025 (ie September 2025).

#### 2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** - taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions for all people in the county borough.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

3.1 The Band B Strategic Outline Programme (SOP) was submitted to Welsh Government (WG) in July 2017. In October 2017, Cabinet was presented with a report detailing the outcome of the Band B review and gave approval to discontinue the original Band B schemes identified in the November 2010 Cabinet report and approved the revised SOP.

- 3.2 On 6 December 2017, the WG Department for Education gave 'approval in principle' for Bridgend's second wave of investment, which at that stage had an estimated programme envelope cost of £68.2m. Further costs were to be determined, and these would be associated with additional infrastructure capacity.
- 3.3 In January 2018, Council approved, in principle, the financial commitment required for Band B of the School Modernisation Programme, subject to sufficient resources being identified and allocated to meet the match funding commitment.
- 3.4 In January 2020, Cabinet was presented with the outcome of the extensive options appraisal relating to each of the approved projects.
- 3.5 In December 2020, Cabinet and Corporate Management Board (CCMB) gave approval to progress the preferred 'Do maximum' option for Heronsbridge Special School (ie a new-build for pupils with Autistic Spectrum Disorder, Severe Learning Difficulties and Profound and Multiple Learning Difficulties plus residential provision). The school would be sized to accommodate 300 pupils. The existing Heronsbridge Special School and the Pencoed College sites, which had been approved for further consideration in January 2020, would no longer be considered, and work would focus on the privately owned site at Island Farm. This was reflected in the Strategic Outline Case, which was subsequently submitted to WG for consideration.
- 3.6 In December 2020, Council approval was received to include funding in the capital programme to deal with payments associated with securing the land.
- 3.7 In March 2021, Ministerial approval was received in respect of the Strategic Outline Business Case for a replacement 300-place Heronsbridge Special School, plus residential provision. Although no capacity calculation is available for special schools, an assessment of existing teaching spaces based on a notional 5m<sup>2</sup> per pupil (ie less area per pupil than is specified in the Building Bulletin area guidelines) highlighted the significant overcrowding issue that exists at the school, producing a capacity of circa 180 pupils. Currently, there are 236 pupils on roll.
- 3.8 Although every effort has been made to make best use of the building, the unprecedented increase in the number of learners with Autistic Spectrum Disorder (ASD) requiring an education suited to their needs has resulted in an increased demand for places, which simply cannot be accommodated. The existing school has a range of specialised facilities. However, it is not fit for purpose.
- 3.9 There are significant issues with regard to the size of teaching and non-teaching spaces. Storage and circulation space is extremely poor, and given the needs of the learners, (many of whom require walking aids/wheelchairs), this causes issues in managing safe movement around the school. The overall condition of the school is grade C ((poor - exhibiting major defects and/or not

operating as intended) and the backlog maintenance costs (assessed in October 2020) is £1,248,200.

- 3.10 A feasibility study was progressed to consider the development of the school on privately owned land at Island Farm, Bridgend.

#### **4. Current situation/proposal**

- 4.1 The Outline Business Case in relation to the provision of the school received Ministerial approval in November 2021. The proposed new school would be designed based on area guidelines for special schools (thereby providing improved standards of accommodation), would be fully accessible and all existing backlog maintenance costs would be eradicated. There are significant additional qualitative benefits associated with providing a new enlarged Heronsbridge Special School:

- Increased number of places for pupils with additional learning needs (ALN) available (there has been an unprecedented increase in the number of learners with ASD in the area).
- Reduction in number of learners sent out of county (this practice is both expensive and imposes often significant travel times on pupils).
- Suitable and sufficient accommodation which meets the needs of our most vulnerable learners.
- Disability Discrimination Act (DDA) compliant building.
- Increased number of residential places.
- The proposed site is approximately one mile from the existing school site and therefore it is not anticipated that there would be any impact on transportation for the existing pupils.

- 4.2 Roberts Limbrick Architects were commissioned to carry out a 'site-fit' feasibility study which demonstrated that the school can be developed on the site.

- 4.3 Local authority technical officers considered the development potential of the site for the proposed new school. The overall area of the site should allow for the majority of level changes to be dealt with by using banks, but some small retaining walls may be necessary, depending upon the final position of the building, its orientation and configuration.

- 4.4 The site is of sufficient area to ensure that a sustainable drainage system strategy is adopted. By using swales and bio-retention areas to carry and slow down storm water, the strategy will help add biodiversity features within the site which will also provide opportunities to aid ecology enhancement.

- 4.5 Overall, the Island Farm area will require some ecology mitigation. However, the proposed school site will be impacted less so than the remainder of the site. The area is open land but with boundaries comprising of mature hedgerows. At this stage, any potential effect to the hedgerows would appear to be minimal but once detailed proposals are prepared any impact can be considered in more detail at that time.

- 4.6 Access from Bridgend Science Park, Technology Drive, was identified as the preferred route for the proposed school.
- 4.7 From the site investigation reports received, the development of the site does not present any major risks and there was no need for urgent site investigation works. However, there will be a need to drill probe holes once the final layout of the site is known.
- 4.8 There are known swallow holes in the area which will likely dictate the surface water disposal method for the development. Sustainable drainage features will be incorporated into the design to ensure compliance with the sustainable drainage legislation.
- 4.9 The land is located within the settlement boundary of Bridgend and allocated within the existing Local Development Plan (LDP) as part of a Strategic Employment Site (11ha) under Policy SP9(3). It was allocated on the basis that it would be protected for high profile employment uses, with an expectation it would form part of an extension of the existing Bridgend Science Park. However, outline planning permission (P/08/1114/OUT) was granted in 2012 on a wider 26ha site for a mixed sport, leisure, commercial and office development with appropriate access improvements. The permission was subject to a Section 106 Legal Agreement that controlled highway works, land dedication, management plans, contributions and matters relating to travel and management plans associated with the sports stadia development. A series of reserved matters consents were granted for an indoor tennis centre (P/14/354/RES refers), landscaping and ecological works (P/14/823/RES refers), and highway and drainage infrastructure (P/14/824/RES refers). The outline permission included the standard time limit conditions for the submission of reserved matters and the commencement of development, and the final approval of reserved matters was issued in 2015. Enabling works have been undertaken at the site and constitute a material operation, meaning that development has commenced. Therefore, the principle of a change of use of the site from that originally envisioned in the LDP has already been established.
- 4.10 As part of the evidence base for the replacement LDP, an economic evidence base study (EEBS) was undertaken in 2019 and updated in 2021. This undertook a review of all employment allocations in the existing LDP and made recommendations as to their suitability for allocation in the replacement LDP. With regards to the employment land included as part of the Island Farm site, the EEBS considered there to be no real prospect of the office element of the permission coming forward, or there to be any known interest in expanding Bridgend Science Park for any form of B1 uses. As a result, the EEBS recommends that the site is released from the Employment Land Supply for the replacement LDP.
- 4.11 Notwithstanding the extant planning permission, the wider site has been promoted through the Replacement LDP process as a mixed-use development scheme (including residential). Allocation of the site for the

proposed uses will enable accommodation of sustainable growth enshrined in placemaking principles, deliver affordable housing in the highest need part of the county borough, and enable delivery of two schools on the site, potentially including Heronsbridge Special School. It will also enrich active travel and green infrastructure networks within Bridgend through the creation of a 'green lung' that will connect the site to the Town Centre via Newbridge Fields. Development of the site would accord with the Replacement LDP Preferred Strategy, channel growth to the Primary Key Settlement of the county borough and make a significant contribution to the housing need identified in the Local Housing Market Assessment. The site promoter has also provided extensive supporting information to evidence the site is both viable and deliverable. The site has been included as a mixed-use strategic development site in the LDP Deposit Consultation Document which was subject to public consultation in June – July 2021. It should be stressed that LDP Deposit Consultation Document does not carry any material weight in the determination of planning applications.

- 4.12 The local authority has employed third party consultants (Redstart/Capita) to undertake a transport assessment (TA). It must be noted that whilst local authority Highway Development Control officers have not had an opportunity to assess the TA as no planning application is yet to be submitted, a Strategic Transportation officer has undertaken an initial review of the TA. The TA will require a thorough examination in due course. However, initial findings of the TA demonstrates that within the 2021 baseline scenario the Ewenny roundabout is able to operate within its theoretical capacity for the AM (ie school drop-off time in the morning), Inter-Peak, and PM (ie school collection point in the afternoon) peak periods, with some capacity still remaining. When assessing the roundabout for the opening year of 2025 and forecast year of 2031, the junction is predicted to operate beyond its theoretical capacity for all periods (the AM peak, the Inter-Peak and the PM peak periods), where excessive queuing of vehicles is experienced). This junction starts to operate beyond its theoretical capacity in the 2025 assessment scenario, when development trips are added onto the network, continuing to worsen into the 2031 assessment scenario (also due to the increase in background traffic growth that is already present on the local highway network).
- 4.13 In order to mitigate the impact of the relocation of the proposed school, the TA has recommended that a junction improvement is carried out at the Ewenny roundabout. In this case the TA has shown the introduction of an additional lane on the northern approach to the roundabout (on Ewenny Road) for left turn movements only. This high-level design has been incorporated within adopted highway extents.
- 4.14 The TA concludes that with this mitigation measure in-place, it may be determined that the proposed junction improvement mitigates the impact of the proposed development on the operation of the Ewenny roundabout to an acceptable standard.
- 4.15 The TA emphasises that current transport planning policy is not to solely provide for vehicular demand but to mitigate its impact and promote

alternative methods of transport, therefore concluding that the performance of the junction with the proposed development and junction mitigation measure in place is satisfactory. Therefore, it is crucial that an effective Travel Plan, specific to the proposed school, is produced to provide a long-term management strategy for supporting and enabling sustainable travel to and from the school, given that, due to the nature of their needs, the majority of pupils are transported to the school

- 4.16 It is important to note that the junction improvement/mitigation has been undertaken based on the proposed school in isolation to other development that can be expected to be built within the vicinity in the future.
- 4.17 A School Travel Plan will be developed by the school in order to encourage and support a whole-school approach to active and sustainable travel.
- 4.18 The Corporate Landlord Department is in the process of acquiring the Island Farm site for the proposed school. It is important to note that should a proposal to relocate the school to that site not proceed, there would be limited financial risk based upon the likely future onward sales value.
- 4.19 The existing number of pupils on roll is 236. In order to increase the number of pupils for whom Heronsbridge Special School makes provision to 300, the School Organisation Code requires that a consultation exercise with the school governing body, staff, parents, pupils and interested parties is undertaken. This is the first step in the statutory process. If carried through to completion, it is currently anticipated that this proposal will come into effect at the beginning of the autumn term 2025. The consultation document will set out the implications of the proposal.
- 4.20 Following this period of consultation, a further report on the outcome of the consultation would be submitted to Cabinet to consider the result of that process. Cabinet would then need to decide whether to authorise the publication of a statutory notice. If such a notice were issued, it would invite formal objections during the statutory 28-day period.

## **5. Effect upon policy framework and procedure rules**

- 5.1 There is no effect upon the policy framework or procedure rules.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal. There have been positive impacts identified, including disability and gender.

## 7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment provides a comprehensive summary of the outcomes expected from the implementation of the service.

Long-term	The proposal fulfils the Council's statutory duty to provide sufficient pupil places and will allow teaching and learning to take place in a building and site which is suited to the needs of the learners and staff.
Prevention	The Council has a statutory duty to ensure there are a sufficient supply of school places, and this scheme will safeguard the Council's position in terms of any potential legal challenge in this regard.
Integration	Providing sufficient places at Heronsbridge Special School, ensures that the curriculum can be delivered and meets the social, environmental, and cultural objectives of learners and the community it will serve. This scheme will promote inclusion. Community use of facilities will be explored and, where appropriate, will be incorporated into the design. Should the proposal proceed in the future, construction will be competitively tendered, via a mini competition through the South East and Mid Wales Collaborative Construction Framework (SEWSCAP3) or potential future iterations of the framework. This will potentially provide opportunities for local companies to engage with the main contractor for inclusion in their supply chain, via 'Meet the Buyer' events. This would support economic activity in the area. Community benefits will be maximised.
Collaboration	The local authority will work effectively with the school, Estyn, Central South Consortium, health, town and community councils and many internal and external partners to ensure that the building meets the short-term and future needs of the users and the community which it will serve. Officers will work with an external design team in developing the scheme to ensure that the building design is sustainable and energy efficient and delivers on the decarbonisation agenda.
Involvement	This scheme was subject to a long list of education and site options. These were systematically evaluated and have been reduced from a long list to a short list to confirm the preferred option. Further work involves the engagement of all potential stakeholders including Cabinet, members, governors, staff, pupils, community, internal and external partners which will include third

sector organisations, during the consultation exercise. There would be a full public consultation process undertaken, according to the WG School Organisation Code, should Cabinet determine to proceed with the proposal.

As a result of the assessment, it is considered that there will be a positive impact upon the achievement of well-being goals/objectives.

## **8. Financial implications**

- 8.1 In December 2018, Council approved a programme envelope of £71.3m, covering Band B new school builds of £68.2m and potential highways works of £3.1m (the cost of highway works will have to be met in full by the local authority, as there is no match funding from WG). Following subsequent amendments to the capital programme, the current position is that there are budgets of £49.504m for works and £3.4m for all Band B schools highways infrastructure within the capital programme, with the remaining Band B school build schemes funded via the revenue funded Mutual Investment Model (MIM).
- 8.2 £25m has been allocated within the £49.504m capital budget for this project and the WG intervention rate is 75%. Contractor inflation and the impact of Covid-19 and 'Brexit' may have a detrimental impact on the scheme costs. However, this would be monitored and reviewed regularly throughout the course of the project. The scheme would be tendered as a design and build contract through the South East Wales and Mid Wales Collaborative Construction Framework (SEWSCAP3) or potential future iterations of the framework. Any revenue implications resulting as a consequence of moving sites, including increases to the schools' delegated budget to cover a larger premises areas, and any potential increases in school transport costs, will not be known until the scheme is developed further. Any changes to the total cost of the scheme or council contributions will be reported back to Cabinet and Council as appropriate.
- 8.3 The cost of the feasibility study has been funded from the Council's feasibility funding allocation for Band B school modernisation.

## **9. Recommendations**

- 9.1 Cabinet is recommended to give approval to commence a statutory consultation process to make the following regulated alterations to Heronsbridge Special School:
- to increase the number of pupils for whom the school makes provision to 300; and
  - to relocate the school from its current location at Ewenny Road, Bridgend to Island Farm, Bridgend. The proposed new school would open from the beginning of the autumn term 2025 (ie September 2025).



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**Background documents:** None