

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 OCTOBER 2022

REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT

SCHOOL MODERNISATION PROGRAMME – YSGOL GYMRAEG BRO OGWR OUTCOME OF STATUTORY NOTICE

1. Purpose of report

1.1 The purpose of this report is to:

- inform Cabinet of the outcome of the published statutory notice in respect of the replacement Ysgol Gymraeg (YG) Bro Ogwr;
- seek approval to implement the proposal with effect from the beginning of autumn term 2025; and
- seek approval to issue and publish a decision letter, as prescribed by the School Organisation Code 2018 (the Code).

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 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 SOP.

3.2 On 6 December 2017, the Welsh Government 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 July 2020, Ministerial approval was received in respect of the Strategic Outline Business Case.
- 3.6 Cabinet approval was received to progress an on-site feasibility at Brackla Hill in respect of the preferred education option for the Bridgend North East scheme (that is, 2.5-form-entry YG Bro Ogwr on the Brackla Hill site), the outcome of which was reported to Cabinet on 9 February 2021.
- 3.7 Having considered the technical complexities and potential costs associated with the development of the school at Brackla Hill, Cabinet determined to discount that site from any future consideration in respect of YG Bro Ogwr and gave approval for officers to consider alternative options for the replacement school.
- 3.8 Of the three alternative sites that were considered, the privately owned site at Ffordd Cadfan (considered previously as part of the options appraisal process and cost prohibitive at that time), was regarded as the most suitable for the replacement school in terms of its size, and geographical location within the catchment area.
- 3.9 The Council's Strategic Asset Management and Investment Manager revisited this option with the landowner who confirmed they were willing to sell the site.
- 3.10 A cost differential exercise in respect of developing a school at the formerly discounted Brackla Hill site compared with developing the land off Ffordd Cadfan was undertaken as a benchmark exercise, and it proved that progressing a scheme at the latter location would be more economical and cost effective.
- 3.11 Welsh Government approval was sought for the land acquisition at Ffordd Cadfan to be treated as an 'abnormal' in this particular instance, and approval sought for the land purchase to be funded through the Band B programme. This approach was accepted in principle by Welsh Government.
- 3.12 Officers were unable to confirm at what point these funds would be available and therefore Council approval was received in December 2020 to include the acquisition costs in the capital programme in order to secure the purchase initially.

- 3.13 In November 2021, Cabinet received a joint report from the Corporate Director, Education and Family Support and the Corporate Director, Communities, which detailed the outcome of a feasibility study in respect of the land off Ffordd Cadfan and confirmed the site's suitability for development. At the same meeting, Cabinet approval was received to proceed with the acquisition of the site.
- 3.14 Ministerial approval of the Welsh Government Outline Business Case was received in November 2021.
- 3.15 On 18 January 2022, Cabinet approval was received to commence a statutory consultation process to make a regulated alteration to enlarge YG Bro Ogwr to a 2.5-form-entry school, with a 90-place full-time-equivalent nursery plus an 8-place observation and assessment class on land off Ffordd Cadfan. The proposal would come into effect at the beginning of autumn term 2025.
- 3.16 In June 2022, Cabinet was informed of the outcome of the statutory consultation process and gave approval to publish the consultation report and statutory notice in respect of the proposal.

4. Current situation/proposal

- 4.1 Following Cabinet approval on 14 June 2022, the consultation report was published on the Council's website and stakeholders were advised accordingly.
- 4.2 The statutory notice was published on 30 June 2022 for a period of 28 days and formal written objections were invited during this time.
- 4.3 The statutory notice closed on 27 July 2022. One emailed correspondence was received relating to the proximity of the existing site to the proposed new site at Ffordd Cadfan and querying the active and learner travel requirements. No objections were received in respect of the proposal.
- 4.4 Cabinet are now requested to give full consideration to the outcome of the process and determine whether to implement the proposal. Cabinet can either decide to accept, reject or modify the proposal.

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, gender, and the Welsh language.

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 YG Bro Ogwr, 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 involved 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. A public consultation process has been undertaken, according to the Welsh Government School Organisation Code 2018.

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 Welsh Government). Following subsequent amendments to the capital programme, the updated position was that there were 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 £12.6m had been allocated in the capital programme for this project and the Welsh Government intervention rate is 65%. The additional 15 full-time equivalent places for rising 3s would need to be funded from BCBC capital and would form part of the total project costs. In June 2022, Cabinet was advised that contractor inflation and the impact of COVID-19 and 'Brexit' will have a detrimental impact on the scheme costs. Cabinet was informed that Welsh Government had issued revised cost standards to local authorities, which address price increases and cover decarbonisation and the commitment to deliver 'net zero carbon' schools. The impact of the revised cost standards was reported to Council in July 2022, and approval was received to increase the Council's overall Band B capital budget from £49.504m to £64.996m. The funding matrix detailing this funding increase has since been submitted to Welsh Government, and clearly sets out the additional Welsh Government funding required for the scheme at the 65% intervention rate. Any revenue implications resulting as a consequence of moving sites will not be known until the scheme is developed further. The cost of the scheme will continue to be reviewed regularly throughout the course of the project and any changes will be reported back to Cabinet and Council as appropriate.
- 8.3 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.
- 8.4 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.
- 8.5 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:

- note the outcome of the published statutory notice to make a regulated alteration to enlarge Ysgol Gymraeg Bro Ogwr to a 2.5 form-entry school, with a 90 place full-time equivalent nursery, plus an 8-place observation and assessment class on land off Ffordd Cadfan;
- determine to implement the proposal with effect from the beginning of the autumn term 2025; and
- give approval to issue and publish a decision letter, as required by the Code.

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Background documents

Equality Impact Assessment, Community Impact Assessment, Welsh Language
Impact Assessment