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| <b>Report to</b>             | Cabinet   |
| <b>Date of meeting</b>       | 18/10/22  |
| <b>Lead Member / Officer</b> | Cllr.Gill German / Geraint Davies   |
| <b>Report author</b>         | Lisa Walchester/ Carwyn Edwards   |
| <b>Title</b>                 | Ysgol Plas Brondyffryn Project - School Organisation formal consultation report |

## **1. What is the report about?**

- 1.1. This report is to inform Cabinet Members of the findings of the formal consultation in regards to Denbighshire County Council increasing Ysgol Plas Brondyffryn's capacity from 116 to 220.

## **2. What is the reason for making this report?**

- 2.1. To enable the required approvals to be gained to progress the Ysgol Plas Brondyffryn project to the next stage.

## **3. What are the Recommendations?**

Cabinet are asked:

- 3.1. To note the findings of the formal consultation to increase the capacity from 116 to 220 at Ysgol Plas Brondyffryn;
- 3.2. To approve the publication of a statutory notice for Denbighshire County Council to increase the capacity from 116 to 220 at Ysgol Plas Brondyffryn from 1st September 2024 subject to the new build being ready;
- 3.3. That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment, Appendix 1, as part of its consideration

## 4. Report details

- 4.1. This is a Band B project in the Welsh Governments Sustainable Communities for Learning programme, previously 21<sup>st</sup> Century Schools and College programme. Commitment to this proposal was outlined in a revised Strategic Outline programme, which was approved by Welsh Government in September 2020. The programme included an overall allocation of £23.8m for this project. As this project is for a special school Welsh Government, subject to the approval of the relevant Business Cases, will provide 75% of the funding with the remaining 25% to be provided by Denbighshire as per the Corporate Plan commitments.
- 4.2. Ysgol Plas Brondyffryn is a 3-19 school which provides specialist provision for pupils with autism. The proposal is to bring 3 of the 4 current sites in Denbigh together in a purpose built building and to increase the capacity of the school as demand for these specialist places increase.
- 4.3. The proposed site for the new build is the field next to Denbigh Leisure centre and currently used by Denbigh High School. It is owned by the Local Authority.
- 4.4. In total we received 93 responses during the consultation- 89 online responses forms and 4 emails- plus a response from Estyn. Of the 93 responses received 71 were for the proposal, 18 against and 4 did not state either way.
- 4.5. The main issues against the proposal are the location proposed for the new build including loss of green space, impact on Denbigh High school losing one of their playing fields and traffic concerns. There were no objections regarding the increase in capacity at the school. The location of the new build is a planning issue and this will be subject to the planning process. In regards to Denbigh High they currently have another field which is underused and survey works are ongoing to establish what improvement works are needed on this field to ensure the school can continue to deliver all elements of the PE curriculum. Please see Appendix 2 for further details.
- 4.6. Members need to consider the consultation report and the supporting documents which have been produced following the formal consultation period. For ease of reference these are detailed below:
- Appendix 2 contains the Formal Consultation Report. In this report we have;

- Summarise each of the issues raised by consultees;
- Respond to these issues by means of clarification;
- Set out Estyn's view of the overall merits of the proposal.

The formal consultation report document contains the following Appendices:

Appendix A- Consultation Document recipient list

Appendix B- Summary of comments/ questions raised in meetings

Appendix C- School Council findings

Appendix D- Full Governing Body response

Appendix E- Summary of responses received via email

Appendix F- Summary of responses via the Formal Consultation Response form

Appendix G- Estyn Response

4.7. From reviewing this information it is recommended that the Council proceeds to publish a Statutory Notice based upon the current proposal. The Statutory Notice will be required to be published for 28 days. During this 28 day period anyone wishing to make objections to the proposal has the opportunity to do so. It is intended that subject to approval this proposal will be published on 8<sup>th</sup> November 2022 with the objection period ending on 5<sup>th</sup> December 2022. To be considered as statutory objections, they must be made in writing or by email and sent to the proposer within 28 days of the date on which the proposal was published.

4.8. Following this date the Council will need to publish an objections report and the Cabinet will be asked to utilise its powers under the School Standards and Organisation (Wales) Act 2013 to consider any objections submitted and to determine whether to implement the proposal. The final decision is likely to be made in January 2023.

## **5. How does the decision contribute to the Corporate Priorities?**

5.1. The project links with the Young People Corporate priority in the Corporate Plan 2017-2022- Continue to modernise schools to improve school facilities and enhance pupils learning.

5.2. The proposed new build will have a positive contribution to the Council becoming Net Carbon Zero by 2030. Welsh Government announced that from 1<sup>st</sup> January 2022 all new build projects will be required to demonstrate delivery of Net Zero Carbon in operation. Welsh Government have stated that they will fund 100% of this in line with current benchmarks that they have detailed. This will form part of the business case as the design develops and costs become clearer.

## **6. What will it cost and how will it affect other services?**

6.1. There will be minimum costs to the Council via the publication of the statutory notice. This will mainly be printing costs associated with the actual publication.

6.2. In terms of the build at this stage of the project we are anticipating that the likely project costs will increase beyond the initial allocation of £23.8m. This is in line with the wider pressures on construction costs which has seen costs increase in excess of 10% in many areas. Options for value engineering will be explored to minimise increases but these are unlikely to balance of inflationary pressures. The submission of the Outline Business Case and Full Business Case to the Welsh Government in early 2023 will need to reflect these pressures. This is likely to require the use of the current reserve of unallocated funding as part of Denbighshire's outline programme for Band B.

## **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. Please see attached Appendix 1- New build- Ysgol Plas Brondyffyn.

7.2. The main conclusions of the report are:

7.2.1. The proposal scored 3 out of 4 stars and 28/36,

7.2.2. The proposal is considering the long term future of the school as demand for these types of school places will increase. The new build will allow the school to use the space flexible and bring all staff and pupils onto one site.

7.2.3. The build itself will help the local economy and will have a strong emphasis on community benefits.

7.2.4. As the project develops the assessment has been revisited and updated. The school and other officer within education have been consulted.

## **8. What consultations have been carried out with Scrutiny and others?**

8.1. The project is on the Denbigh MAG agenda as a standing item and therefore updates are provided at every meeting.

8.2. The school staff and Governors are aware of the project and have engaged in the design meetings with Wates.

8.3. Internally highways, planning, leisure and ICT have all been made aware of the project and feedback received.

## **9. Chief Finance Officer Statement**

9.1 Although supportive in principle, certainly to this stage of the process, it is important that the full financial implications of the proposals are explored and understood in more detail. In particular the possible impact on the wider Band B programme and on the Medium Term Financial Plan. Finance will provide support to the Modernisation Education Board in order to do this.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. The formal consultation process needs to proceed alongside the new build design and funding approvals.

10.2. The mitigating risk is that formal appointment of the lead contractor for the build itself will take place following completion of the formal consultation process. Therefore should there be significant opposition to the proposal at an early stage the Council could seek to delay the appointment of the lead contractor as appropriate.

## **11. Power to make the decision**

11.1. The School Standards and Organisation (Wales) Act 2013 provides the legislative requirement for local authorities to review school proposals and to progress proposals to reconfigure school provision.