

Report to	Cabinet
Date of meeting	19 th September 2023
Lead Member / Officer	Councillor Gill German, Lead Member for Children and Young People
Head of Service	Geraint Davies, Head of Education
Report author	James Curran and Carwyn Edwards
Title	Ysgol Plas Brondyffryn Project – Proposed New Build of School

1. What is the report about?

- 1.1. To seek Cabinet endorsement of the preferred site for the progression of the new build project for Ysgol Plas Brondyffryn.

2. What is the reason for making this report?

- 2.1. A decision is required to confirm the preferred site location to enable the project to proceed which would enable a formal planning application for the proposals to be submitted.

3. What are the Recommendations?

- 3.1 To approve the preferred site for the new build of Ysgol Plas Brondyffryn as the Ystrad Road site, shown as site A on the plan attached in Appendix 2 and to agree to support progression via a planning application.
- 3.2 To agree that the planning application must clearly demonstrate that the loss of recreational space through development on the school playing field will be replaced by alternative outdoor provision of equivalent or greater community benefit.

- 3.2 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration.

4. Report details

- 4.1. As part of the Band B proposals for the Sustainable Communities for Learning Programme (formerly known as 21st Century Schools) Cabinet in September 2020 provided approval to commence the projects for Ysgol Plas Brondyffryn, Denbigh High School and Ysgol Pendref in Denbigh and Ysgol Bryn Collen and Ysgol Gwernant in Llangollen.
- 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. The Council is unable to meet demand for provision moving forward and the increase in capacity will allow the Council to respond for the need for specialist provision.
- 4.3. During 2021 work was undertaken to procure preferred contractors for the Ysgol Plas Brondyffryn project which enable the preferred contractor to be appointed at the end of the year. In early 2022 further feasibility work was undertaken on the proposal for a new build and consultation took place with stakeholders including consultation with the Denbigh Member Area's Group (MAG). This led to the progression of proposed designs for the proposed new building and site works on the Ystrad Road site (site A) for informal planning consultation in September 2022. The main issues arising from the informal planning consultation were in respect of site selection, loss of sporting facilities and highways access. Prior to this feasibility works had commenced to address how the sports field at Denbigh High School could be improved. These sought to address issues around drainage and topography and illustrate how the field could be laid out for team games and athletics including a 400 metre running track within the field. The findings were received in autumn and have been shared with Denbigh MAG in December. (see Appendix 4)
- 4.4. In October 2022, Members of the Denbigh MAG supported the need for improved facilities for Ysgol Plas Brondyffryn but expressed concerns over the

proposals as submitted and requested that the submission of a formal planning application be paused pending further review of their concerns. During this period officers were requested to assess alternative sites and locations both in the town of Denbigh and beyond. Further feasibility works were undertaken on an alternative site suggested by Members (site B) to assess whether it was feasible to progress on this other site. (Appendix 2 illustrates the planning area for Sites A and B). The findings of this were presented to the Denbigh MAG in March 2023 (see Appendix 6). The consensus of the MAG members was a preference for the progression of Site B. To assist any further consideration of this site legal counsel's advice was sought on the risks to the Council of progression of the alternative site from a planning policy perspective.

- 4.5. The view of Education Officers remain consistent that there is a very strong requirement for the school to be located in Denbigh and that the preference is the initial site rather than the site proposed by Members. The view from Planning Policy Officers having regard to the legal opinion is very clear. Site A is by far the preferred option and Site B is very problematic to argue given the existence of Site A. (see Appendix 1 for further detail)
- 4.6. These views were presented to a special meeting of the Denbigh MAG in July 2023 to enable their views to be gained on the advice received. Overall the consensus of the Members Group was that Site B remained their preference.
- 4.7. Overall the programme is planned to see three projects progress in the town of Denbigh; the redevelopment of Denbigh High will follow the Ysgol Plas Brondyffryn whilst simultaneously a project is being progressed for Ysgol Pendref. The impact of the projects in respect of open space will be carefully considered and Education will work with colleagues in Planning to seek to maximise benefits to improvements to open spaces in the town. Appendix 5 illustrates the current provision and where possible through commuted sums or community benefits options for enhancements will be actively pursued.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. A prosperous Denbighshire – the project will see the retention of over 100 jobs in the town of Denbigh at the school and the construction period will see economic benefits to the town through local spend. The project will be required to demonstrate community benefits.
- 5.2. A healthier and happier, caring Denbighshire – the project will ensure that the Council can continue to support children and young people with additional learning needs closer to home.
- 5.3. A learning and growing Denbighshire – the project will ensure that we provide high quality buildings and facilities, working in partnership with Welsh Government’s Sustainable Communities for Learning Programme. The project will reflect the Community-Focussed School agenda to help meet the needs of pupils, their families and the wider community.
- 5.4. A greener Denbighshire - The proposed new build will have a positive contribution to the Council becoming Net Carbon Zero by 2030. Welsh Government announced that from 1st 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 formed part of the Strategic Outline Case for the project approved in 2022 and will be reflected in future business cases as the design develops and costs become clearer.

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

- 6.1. In terms of the costs 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. 75% of the capital funding would be provided by the Welsh Government. The most recent estimate suggests an increase of approximately £1.9 m. This is in line with the wider pressures on construction costs which has seen significant costs increase. Options for value engineering will be explored to minimise increases but these are unlikely to balance off inflationary pressures. The submission of the Outline Business Case and Full Business Case to the Welsh Government 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. The costs associated with meeting Net Carbon Zero will, subject to Business Case approval and meeting standard rates, be met by the Welsh Government.

6.2. The project although led by Education Services as the client will involve a wide range of services working together to deliver. Services such as Legal, Procurement, Highways, Planning, Design and Construction, ICT, Maintenance will be involved in the project at key stages to provide support.

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

7.1. Please see attached Appendix C - New build - Ysgol Plas Brondyffryn. The main conclusions of the report are:

- The proposal scored 3 out of 4 stars and 31/36,
- The proposal is considering the long term future from the perspective of demand for the school, impact of the investment on pitch provision and from the perspective of an investment..

7.2. The build itself will help the local economy and will have a strong emphasis on community benefits and a more equal Denbighshire.

7.3. The assessment is revisited and updated as the project is progressed.

Consultation has taken place with officers from education and planning policy. The assessment identifies that there are opportunities, processes, proposals and actions that can be implemented which will reduce the extent of the negative impact that has been identified.

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

8.1. Consultation with the Denbigh Members Area Group has taken place throughout the project with various updates provided since the inception of the project in 2021. The current views of the Group are reflected in the main body of the report together with details of the engagement in Appendix 4. Consultation has taken place on the proposal to extend the capacity of the school. This was formally completed by Cabinet in February 2023 when approval was given to

implement the proposal, subject to a site being agreed, planning consent approved, funding being available and the new build being ready to accommodate the increased capacity. Should the project proceed a modification to the proposal will be needed to reflect a revised implementation date.

- 8.2. The Headteacher of Ysgol Plas Brondyffryn and Governors have been part of the development of the project and will be regularly engaged should the project proceed further. Engagement has also taken place with the Headteacher and Governors at Denbigh High School to ensure they have been appraised of the current position of this project and how it will impact on their school together with how their project may proceed.
- 8.3. Denbighshire Leisure Limited have provided feedback on the proposal voicing concerns over the impact on traffic management at the Leisure Centre which is in close proximity together with their concern that the proposals may impact on any future expansion plans the Company may have in the town. Highways were consulted on the proposals and have expressed no concerns from a highway impact perspective. The site in question is part of the Education portfolio from an asset management perspective and the priority for this site would be to enhance the Council's education offer.

9. Chief Finance Officer Statement

- 9.1. Although the project is funded 75% by Welsh Government grant, this remains a significant financial investment for the Council, with all the financial risks that entails. We are in a period of inflationary increase in costs and severe pressures on our capital and revenue budgets due to funding levels from government and other pressures across the Council. It is important that the funding concerns highlighted in Section 6 are dealt with prior to the final business case is approved.

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

- 10.1. There is a clear risk that the proposals may receive opposition from local Members when any planning application is considered by the Planning Committee. The Lead Member and Officers have met with local Members to

explain the justification for the proposals and why the preferred site has been proposed.

10.2. There is a risk to the service and the Council should the project stall in respect of the growing pressures for pupils to be placed in specialist provision such as Ysgol Plas Brondyffryn. If Denbighshire are unable to accommodate needs in mainstream or specialist provision, there may be a requirement to pursue an out of county placement to meet the needs of individual pupils. Such a failure to expand will create a further pressure on the current overspend for out of county provision. The costs of such provision will always vary dependent on the individual needs of pupils and can range from £30,00 per annum to £280,000 per annum for Education costs. These costs would be increased particularly where residential provision is required due to the distance from home to the placement with recent costs to Children's Services ranging from £250,000 per annum to a high end cost of £450,000 per annum. The absence of provision at Ysgol Plas Brondyffryn can also place additional pressures on mainstream schools where the needs of pupils cannot be adequately met leading to additional costs.

11. Power to make the decision

11.1. Section 14 of the Education Act places a duty on local authorities to secure sufficient schools for providing primary and secondary education.