

DIRECTORATE OF LEARNING AND SKILLS OBJECTION REPORT

ON THE PROPOSAL TO:

- CHANGE THE AGE RANGE OF ST NICHOLAS CIW PRIMARY SCHOOL FROM 4-11 YEARS TO 3-11 YEARS AND TO ESTABLISH A NURSERY CLASS CONTAINING 24 PART TIME PLACES FROM SEPTEMBER 2023



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1. BACKGROUND

The Council undertook a statutory consultation exercise on the proposal from 1st February 2022 to 15th March 2022. The aim of the consultation was to inform prescribed consultees about the school re-organisation proposal being put forward under section 2.3 of the School Organisation Code. Section 2.3 refers to Regulated Alterations of a school, which includes changing the age range of a school by a year or more. The proposal for the school is as follows:

Proposal to provide nursery provision at St Nicholas CiW primary school:

- Changing the lowest age range of pupils at St Nicholas CiW Primary School from 4 to 3, to include 24 part time nursery places.

The consultation process followed Welsh Government guidelines as outlined in the School Organisation Code 2018. It provided an opportunity for prescribed consultees as well as members of the local community to learn about the proposal and for the Vale of Glamorgan Council's Cabinet to hear the views of all those with an interest so that they can be taken into account before decisions are made.

During the consultation exercise, 4 individual responses were received by the consultation closing date of 15th March 2022. In relation to the Proposal; 3 responses were in favour; 1 response was opposed, and 0 responses had no opinion. A summary of the responses received were published in the consultation report and made publicly available on the Council's website.

1.1. CONSULTATION REPORT

A consultation report was published following the consultation exercise (<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Expanding-St-Nicholas-CiW-Primary.aspx> refers). The consultation report was considered by the Governing Body on 16th May 2022 which can be viewed using the following link:

<https://www.valeofglamorgan.gov.uk/Documents/Working/Education%20and%20Skills/21st-Century-Schools/SNPS-Revised-Proposal-Consultation-Response-Report-formatted.pdf>

1.2. STATUTORY NOTICE

Following consideration of the consultation report on 16th May 2022, the School's Governing Body decided to progress the proposal and approve the publication of a statutory notice.

The statutory notice on the proposal was published on 13th June 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 12th July 2022.

The notice was published on the school and Vale of Glamorgan Council's website which can be viewed using the following link:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Expanding-St-Nicholas-CIW-Primary.aspx>

A hardcopy of the notice was also displayed at the main entrance of the school. Copies of the notice were distributed to parents, carers and guardians, governors, and staff members, as well as respondents who wished to be notified via email. All other organisations and consultees required under the School Organisation Code 2018 were provided with a copy of the letter and notice as an attachment to the email as well as a link to the notice on the website.

Where objections are received to the statutory notice, an objection report must be published summarising the statutory objections and the proposer's response to those objections.

2. OBJECTIONS TO THE PROPOSAL

The Council received 1 individual objection by the end of the objection period. The objection received is summarised below, along with the Council's response. A graphical summary of the number of responses to each objection theme is available in Annex 1.

The objection received has been considered and grouped under different overarching themes. The number of objections received under each theme has been provided and a brief summary of the issues covered by the theme. The Council's response to the theme is then provided which outlines the Council's position.

All objections received during the objection period have been made available to the members of the Vale of Glamorgan Council's Cabinet for consideration alongside this report.

The closing date for the consultation was the 12th July 2022. The Council received no late representations.

Only objections received in writing or via email have been considered as part of the objection report.

2.1. OBJECTIONS RAISED IN RELATION TO THE PROPOSAL:

OBJECTION THEME 1

Implementation of Proposal would not represent value for money

Objections received raised concerns relating to the proposed implementation of the proposal due to the costs associated with delivering nursery provision on the existing site. The increase in costs does not represent the best use of public funds and there is a lack of justification for the increased costs.

Governing Body's response to the concerns raised

The objection received raise similar issues to those received during the statutory consultation under Theme 3 of the Consultation Report (<https://www.valeofglamorgan.gov.uk/Documents/Working/Education%20and%20Skills/21st-Century-Schools/SNPS-Revised-Proposal-Consultation-Response-Report-formatted.pdf> refers). However, the objection considers the response in the consultation report provided insufficient information to address the concerns raised. It should be noted that due to the commercially sensitive nature of some

of the information relating to the project costs and contract, all the detailed information cannot be shared publicly.

To ensure the Council is allocating public funds appropriately to projects, the project costs are fully market tested by the Council's Project Management and Cost Consultant Aecom who review the design and construction packages prior to entering into a contract with a contractor to ensure the costs received are a true reflection of market conditions. In addition to this assessment, the project is also subject to a business case which is submitted to Welsh Government who assess the proposal to ensure that the project represent best value for money.

Internally, investment decisions are also subject to review and are considered by the School Investment Programme Board and School Investment Operational Group before being considered by the Council's Cabinet.

The implementation of the proposal will be funded as part of the Sustainable Communities for Learning Programme. The project to re-develop St Nicholas CiW Primary School has been approved as a project to be delivered under Band B of the programme. The cost of the original proposal was approved as part of a Business Justification Case (BJC) submitted to Welsh Government in June 2020. However, since the BJC was submitted there have been a number of changes and delays to the implementation of the proposal and this has impacted on the project costs. The original BJC was approved for £4.999m project to develop 210 place school on the existing site by September 2022. However, this cost was based upon savings made through bringing forward 3 projects together at the same time which included the redevelopment of St David's CiW Primary School, St Nicholas CiW Primary School, and Llancarfan Primary School (known as South Point Primary). The initial cost savings for the schemes could not be realised as they did not progress at the same time. In particular the development of St Nicholas CiW Primary School was delayed significantly with the original planning proposal being refused for the 210 primary school. This has resulted in the scheme not benefiting from the original envisaged efficiency savings. Furthermore, although the reduced capacity of the proposal has resulted in a smaller footprint for the school building this did not result in a reduction in the overall project cost. This is due to the external landscaping, onsite transport mitigations, drainage scheme and construction methods (e.g. piling) remaining relatively unchanged, further limiting any potential decrease in cost.

In determining the preferred option for the project an assessment was undertaken to identify alternative options which could also deliver the Council's Investment Objectives and Critical Success Factors. The 3 short-listed alternative options included the following:

- Expand and refurbish existing school buildings,
- Relocate catchment area pupils to Peterston-super-Ely CiW primary,

- Expand provision by 84 places and construct the new school on a new site.

The short-listed options were assessed against the investment objectives, critical success factors, advantages and disadvantages, capital costs to undertake the scheme and Net Present Value (NPV) calculations. The option currently being pursued (rebuilding the school with nursery provision) was identified as the preferred option as it provides best value for money in the long term and best meets the Council's critical success factors and investment objectives.

Additionally, it will ensure the Council is able to meet projected demand for nursery education in St Nicholas and Bonvilston whilst also providing long term investment in education buildings that are suitable for primary education and create modern learning environments. This assessment forms part of the business case submission to Welsh Government who will review the assessment to determine if it is appropriate.

Regarding the implications for the proposal if the revised BJC is refused by Welsh Government, the Council would re-tender for the Stage II construction contract to deliver the new school to retest the market. This would likely delay the implementation of the proposal by 4 months to allow for the tender process to complete. To avoid this outcome the increased costs have been thoroughly market tested by the Council's cost and management consultant Aecom to demonstrate the quoted costs reflect the current market conditions.

3. FREQUENTLY ASKED QUESTIONS

This section provides updated frequently asked questions in relation to the proposal.

What is the intended timescale for the development of the new school building?

Building work is likely to commence from August 2022. It is proposed that the new school would be open for September 2023.

Who would manage the construction of the new school building?

The Council's Sustainable Communities for Learning Team would be responsible for managing the build process. A contractor would be appointed using the SEWSCAP framework. SEWSCAP is a construction framework used by 16 local authorities and provides pre-qualified and suitably experienced Contractors to deliver the 21st Century Schools Programme, and other public buildings, relating to both new build and refurbishment projects over £1.5 million. A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor, and school.

Would the construction of the new school result in disruption for staff, pupils, and local residents?

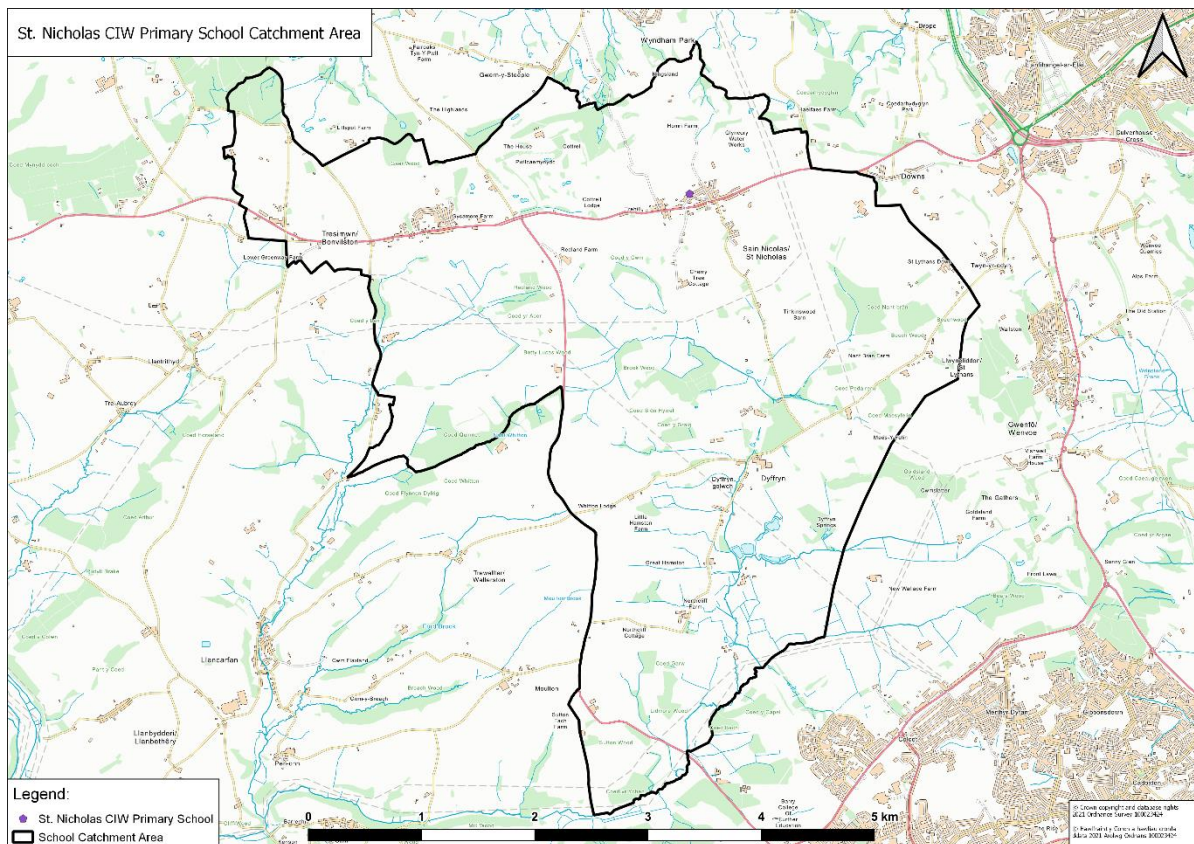
It is proposed that the new school building is built on the existing site which would result in some disruption for staff, pupils, and local residents during the construction phase. The school would collaborate closely with the Council's Sustainable Communities for Learning Team to limit disruption through restricting delivery times and working collaboratively with the site manager. The proposal will be supported by a Construction Environment Management Plan which outlines how the site will be set-up to ensure the continued education provision can be provided at the existing site during the construction phase.

Would contingency arrangements be put in place during the construction of the new school to ensure pupils are able to access outdoor space?

As the proposed new build would be built on the existing site, the school would lose outside space during the construction phase. During this time, the school would collaborate closely with the Sustainable Communities for Learning Team to ensure pupils have access to sufficient outside space and the curriculum is not compromised. The Multi Use Games Area will be developed first to ensure pupils still have access to outdoor play facilities. In addition the majority of the playing fields to the rear of the school site would be retained during the construction phase of the site. The school would also work closely with the construction team to ensure pupils are involved throughout the process and the curriculum is enhanced through regular site visits.

Will the proposal result in changes to the catchment area?

No. The catchment area for the school would remain the same. The map below identifies the extent of the catchment area which does not identify Wenvoe in the catchment.



How will the proposal be funded?

The proposal will be funded through the Welsh Government's Band B of the Sustainable Communities for Learning Programme. This a collaboration between Welsh Government, Local Authorities, and other stakeholders to fund educational developments in Wales. The agreement to the funding is subject to a Revised Business Justification Case to reflect the increased cost of the project.

How will admissions for the nursery work?

Children are eligible for a part time nursery place, usually five mornings or five afternoons, from the term after their third birthday. St Nicholas CiW primary School is a voluntary controlled school and would be subject to the Council's admissions policy. Further information on nursery admissions can be found on the Council's [Nursery Admissions](#) Webpage.

4. CONCLUSION

The Governing Body concludes that the proposal would have an overall positive impact on the existing and future pupils of St Nicholas CiW Primary School. The proposal would develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two) and minimise the potential for disruption during transition from nursery to primary school.

The implementation of the proposal is subject to separate process including planning consent, SAB consent and business case approval. These matters are being addressed by the Council as part of the Sustainable Communities for Learning programme. The Governing Body is confident that the relevant consents and approvals can be achieved, with planning consent already being granted for the proposal on 28th April 2022.

The Governing Body notes the concerns raised by respondents and has worked closely with the Council's Sustainable Communities for Learning Team to ensure the proposal can be delivered.

5. RECOMMENDATIONS

It is recommended:

1. That the Council's Cabinet consider the objection report along with the individual objections received during the objection period.
2. That the Council's Cabinet approve the publication of the objection report
3. That the Council's Cabinet approve the implementation of the following proposals:
Proposal to provide nursery provision at St Nicholas CiW primary school:
 - Changing the lowest age range of pupils at St Nicholas CiW Primary School from 4 to 3, to include 24 part time nursery places.
4. That the Council's Cabinet refer the Consultation Document, Consultation Report, Statutory Notice, Objection Report and Objections to the Council for final determination in line with section 51 of the School Standards and Organisation (Wales) Act 2013.

5. ANNEX 1 – SUMMARY OF OBJECTIONS

