

Meeting of:	Cabinet
Date of Meeting:	Monday, 04 March 2019
Relevant Scrutiny Committee:	Learning and Culture
Report Title:	Pencoedtre High School - Acceptance of Tender
Purpose of Report:	To seek Cabinet approval for the acceptance of a competitive tender for the new build works at Pencoedtre High School.
Report Owner:	Cabinet Member for Learning and Culture
Responsible Officer:	Paula Ham, Director of Learning and Skills
Elected Member and Officer Consultation:	<p>Officers Consulted</p> <p>Trevor Baker: Head of Strategy, Community Learning and Resources Jane O'Leary: 21st Century Schools Programme Manager Carolyn Michael: Operational Manager, Accountancy Victoria Davidson: Operational Manager, Legal Services</p>
Policy Framework:	This is a matter for Executive decision by the Cabinet.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • On 7 January 2019, Cabinet approved the revised Band B 21st Century Schools Programme which included a new build for Pencoedtre High School. • Tenders were recently sought using the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework under Lot 6. • These have subsequently been evaluated by Vale of Glamorgan Council and AECOM (Multi-disciplinary Consultancy) based on the criteria stated in the tender documentation. • Further details of AECOM's tender evaluation are outlined in the Part II item on this agenda. 	

Recommendations

1. That Cabinet notes this report and recommendations considered in connection with the Part II report later in the agenda.

Reasons for Recommendations

2. To allow Part I and II reports to be considered together.

1. Background

- 1.1 The 21st Century Schools and Education Programme is a unique collaboration between the Welsh Government and Local Authorities. It is a major long term strategic capital investment programme with the aim of creating a generation of 21st Century Schools in Wales.
- 1.2 In July 2017, the Council submitted its Strategic Outline Programme (SOP) to Welsh Government, identifying the projects included within the Band B programme.
- 1.3 On 10 November 2017, the Education Secretary Kirsty Williams announced that the Council's proposals met Welsh Government's investment objectives and subject to approval of the individual business cases, Welsh Government is committed to supporting all of the projects presented. This was confirmed in writing on 6 December 2017.
- 1.4 On 22 January 2018, Cabinet approved the proposed Band B phase of the 21st Century Schools Programme (minute C199). Funding for the projects was based on an anticipated Welsh Government intervention rate of 50% funding for non-faith school schemes and 85% funding for Voluntary Aided faith school schemes.
- 1.5 On 15 October 2018, Cabinet approved the appointment of ISG Construction Ltd to undertake the proposed refurbishment at Pencoedtre High School (minute C456). A Professional Services Contract was executed for the pre-construction design and procurement services.
- 1.6 On 21 November 2018 Welsh Government and WLGA issued a joint statement announcing a change to the Welsh Government intervention rate for the 21st Century Schools Programme. Welsh government funding for non-faith school schemes would increase from 50% to 65%. A new intervention rate was introduced for facilities for those pupils with additional learning needs and those in pupil referral units at 75% Welsh Government funding.
- 1.7 Due to the above policy change, on 7 January 2019 Cabinet approved a more robust Band B 21st Century Schools Programme to take into account emerging new priorities. This included changing the Pencoedtre High School scheme from a refurbishment to a new build scheme to ensure equality across the new mixed-sex secondary schools in Barry. (minute C539)
- 1.8 Having taken legal advice in order to deliver a new school at Pencoedtre High School, it was necessary to terminate the Professional Services Contract (PSC) with ISG Construction Ltd as the scope and value of the contract was significantly altered.

2. Key Issues for Consideration

- 2.1** Tenders for the works have recently been sought. The tender process utilised the South East Wales Schools and Capital Funding (SEWSCAP) Contractor Framework.
- 2.2** 5 tenders were received and opened on Monday 11 February 2019. These have subsequently been evaluated by the Vale of Glamorgan Council and AECOM (multi-discipline consultancy) based on the criteria stated in the tender documentation.
- 2.3** Further details of AECOM's tender evaluation are outlined in the Part II item on this agenda.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The Well-being of Future Generations Act 2015 (“the 2015 Act”) requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change.
- 3.2** To make sure we are all working towards the same purpose, the 2015 Act puts in place seven well-being goals on the Council. The 2015 Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two, these being:
 - A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities
 - A Wales of vibrant culture and Welsh Language
 - A globally responsible Wales
- 3.3** This proposal contributes to achieving the wellbeing goals by:
 - Improving sustainability of school buildings through the creation of BREEAM Excellent accommodation.
 - Ensure an efficient supply and demand of school places across the Vale of Glamorgan through effective forecasting of future demand.
 - The new school would be designed to better meet the needs of pupils. The new building would provide break out/wellbeing areas for students with additional learning needs.
 - A key objective of the 21st Century Schools Programme is to Increase the level of community access and interaction through the use of the school’s educational facilities whilst meeting the needs of the school.

- Supporting contractors to deliver a programme of community benefits that aims to reduce unemployment through increased apprenticeship opportunities.
- 3.4** The 2015 Act imposes a duty on all public bodies in Wales to carry out “sustainable development”, defined as being, "The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals." The action that a public body takes in carrying out sustainable development includes setting and publishing well-being objectives, and taking all reasonable steps in exercising its functions to meet those objectives.
- 3.5** Previously completed Band A projects have contributed to improving the economic and environmental wellbeing of Wales as follows.
- Over 70% of project spend has been within Wales.
 - Over 90% of the workforce has been recruited from within Wales
 - A minimum of 80% of waste has been averted from landfill and recycled.
- 3.6** The 2015 Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:
- The importance of balancing short-term needs with the needs to safeguard the ability to also meet long-term needs.
 - Considering how the Council’s objectives impact upon each of the wellbeing goals listed above.
 - The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services.
 - Acting in collaboration with other persons and organisations that could help the Council meet its wellbeing objectives.
 - Acting to prevent problems occurring or getting worse.
- 3.7** The Council has committed as part of the Corporate Plan 2016-20 to achieving a vision of ‘Strong Communities with a Bright Future’. This plan is reflective of the Welsh Government’s Well-being of Future Generations Act and is comprised of a number of Well-being objectives to deliver this vision.
- 3.8** Well-being Outcome 3, ‘An Aspirational and Culturally Vibrant Vale’ is specifically linked to education with a number of objectives contributing to the 21st Century Schools programme. We have prioritised the need to raise standards of achievement as one of our well-being objectives. We are proud of the Vale of Glamorgan and our place in Wales and that the use of the Welsh language is growing in the Vale. We respect and value diversity within our communities and recognise the importance of promoting equality of opportunity. We also appreciate our unique heritage and culture and the importance for people of all ages to enjoy a range of activities and to have opportunities to be creative. We have therefore identified valuing culture and diversity as one of our eight well-being objectives.

3.9 Details of the objectives that the 21st Century Schools Programme supports and contributes to are outlined below.

Well-being Outcome 3: An Aspirational and Culturally Vibrant Vale

- All Vale of Glamorgan citizens have opportunities to achieve their full potential.

Objective 5: Raising overall standards of achievement.

- Improve standards of achievement for pupils through sharing excellence between schools and the targeting of resources.
- Secure improved outcomes for groups of learners at risk of underachievement, such as those entitled to free school meals.
- Increase the learning opportunities for disadvantaged individuals and vulnerable families.
- Reduce the number of young people not in education, employment or training.
- Improve outcomes for post 16 learners through greater cooperation between schools, training providers and businesses.
- Secure aspirational outcomes for learners with additional learning needs through early intervention and effective collaboration in line with the proposed Additional Learning Needs Bill.
- Progress the school modernisation programme by completing the new Llantwit Major Learning Community and the development of proposals for secondary school provision in Barry.
- Develop a new school modernisation programme in readiness for the next 21st century schools funding due to commence in 2019/20.

3.10 The construction would be undertaken in line with the five ways of working, promoting collaboration and ensuring all stakeholders are involved throughout the design process.

4. Resources and Legal Considerations

Financial

- 4.1** The capital cost for the new build at Pencoedtre High School is estimated to be £34.7m. This amount is currently included within the Capital Programme.
- 4.2** The project is jointly funded by the Council and Welsh Government, through the 21st Century Schools Programme. The Welsh Government contribution will be £22.5m with the Council contributing the remaining £12.2m.

Employment

- 4.3** The staff, governing body and pupils at Pencoedtre High School would move to the new school building. Staff would remain on current terms and conditions.

Legal (Including Equalities)

- 4.4 It will be necessary to enter into formally executed contracts with the successful bidder.

5. Background Papers

- 21st Century Schools Programme - Band B, 22 January 2018 (Cabinet minute C199)
- 21st Century Schools Programme - Band B Update and Current Position, 7 January 2019 (Cabinet minute C539)