

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Educational Services

Educational Services Committee: 11 September 2013

Subject: Proposal Paper and launch of statutory consultation on the location of the new Our Lady and St Patrick's High School

1. Purpose

- 1.1** The purpose of this report is to seek Committee's approval for the launch of the statutory consultation process, as required by the Schools (Consultation) (Scotland) Act 2010, on the location of a new Our Lady and St Patrick's High School (OLSP).

2. Recommendations

- 2.1** It is recommended that Committee:

- a) approve the launch of statutory consultation by the Executive Director of Educational Services under the terms of the Schools (Consultation) (Scotland) Act 2010 recommending that the new Our Lady and St Patrick's High School be constructed on Posties Park;
- b) approve a recommendation that the consultation period should run from Monday 16 September 2013 to Wednesday 13 November 2013, a total of 32 days when the schools are open for pupils; and
- c) agree that a report outlining the results of the consultation and making appropriate recommendations be presented to a special meeting of the Educational Services Committee in January 2014.

3. Background

- 3.1** On 6 February 2013, Council approved a ten year capital plan which included an allocation of £22.5m for a new build OLSP: £14m from the Scottish Government via the Scottish Futures Trust and £8.5m from the Council's Capital Programme.

- 3.2.1** On 15 May 2013, the Educational Services Committee agreed:

- (1) to approve the construction of a new school building and campus for Our Lady and St Patrick's High School;
- (2) that the Council would comply with Scottish Government funding conditions;

- (3) to note that the project would be procured through Hub West Scotland and to authorise the Executive Director of Educational Services, in consultation with relevant officers, to progress the project to conclusion;
- (4) to note that Posties Park had been identified as the highest scoring site following a desk-top feasibility study;
- (5) to authorise that desk-top investigations be carried out on three additional sites; Cunninghame Graham Memorial Park and Dumbarton Joint Hospital (as extensions to the existing school site) and Knowetop Farm;
- (6) to authorise that site investigations be undertaken on the Posties Park site and on other high scoring alternative sites, these investigations to be funded from the Capital Programme;
- (7) to note that the approximate cost of each site investigation would be £20,000 to £30,000;
- (8) to note that, following completion of site investigations on all high-scoring sites, and further investigation regarding the potential need for a footbridge, a further report would be tabled at a future Educational Services Committee meeting detailing the results of the investigations and seeking authority to commence statutory consultation under the terms of the Schools (Consultation) (Scotland) Act 2010; and
- (9) to authorise the Executive Director of Educational Services, in consultation with the Executive Director of Housing, Environmental and Economic Development, the Head of Finance and Resources and the Head of Legal, Democratic and Regulatory Services to procure the necessary technical, legal and financial support through the Scottish Futures Trust (SFT) Framework Agreement.

3.2.2 Our Lady and St Patrick's High School is a comprehensive, co-educational, denominational school of approximately 1000 pupils, with roll projections for the next 7 years indicating that the maximum roll during that period would be 1,022. Its catchment area covers Dumbarton and Vale of Leven. Pupils who have attended St Joseph's Primary in Helensburgh may also enrol in Our Lady and St Patrick's because there is no Catholic secondary school in Argyll and Bute.

4. Main Issues

Further Desk-top Investigations

- 4.1** A desk-top investigation into the former Knowetop Farm site by MJ Consultants awarded this site a very low score because of a range of issues, including poor access and difficult topography. The possibility of using this site was therefore discounted.
- 4.1.1** Discussions with Greater Glasgow and Clyde Health Board revealed that there are no plans currently to discontinue use of the Dumbarton Joint

Hospital. This site will therefore not be available as an extension to the existing school site.

- 4.1.2** Discussions with Historic Scotland about the possible use of the Cunninghame Graham Memorial Park as an extension to the existing school site revealed that Historic Scotland would not agree to the extension of the school campus on to the park which is considered a site of historic significance.

Site Investigations

- 4.2** Site investigations at the existing school site, Argyll Park and the Jamestown site revealed no issues in terms of contamination, although piling would be required at an estimated additional cost of £130,000 if either the Jamestown or Argyll Park site was chosen because of prevailing ground conditions. If the existing school site were chosen, diversions to utilities to maintain service during construction would be required, at an estimated cost of £70,000. However, in purely technical terms, all three sites would be suitable for the construction of a school.
- 4.2.1** Site investigations at Posties Park revealed no issues in terms of contamination. However, ground conditions are such that it would be necessary to carry out helical displacement piling to a depth of at least 16 metres to reach a surface capable of supporting a school of 1000 pupils. This would involve additional cost, amounting to approximately £250,000.

Argyll Park Site

- 4.3** Re-locating the school to Argyll Park would have significant recurring adverse revenue implications. Fewer than 350 of the current school population of just under 1000 live in the Vale of Leven area, with almost all other pupils living in Dumbarton and Helensburgh and environs. The cost of transporting pupils from Dumbarton to Vale of Leven would exceed the current school transport costs for the school, assuming the current entitlement to free school transport were maintained. While it is impossible to be precise about the scale of additional costs at this stage, given the number of variables involved, initial estimates suggest the additional costs could be anywhere between £0.022m and £0.082m, although it is possible that these figures could be exceeded. Such a move would also incur additional costs for Argyll and Bute Council which has responsibility for transporting its young people to OLSP.
- 4.3.1** Argyll Park scored lower than either Posties Park or the existing school site in the desk-top evaluation carried out by MJ Consultants.
- 4.3.2** Wider analysis of site issues indicated that locating the school in Argyll Park would adversely affect traffic movement at the traffic signal controlled junction at Heather Avenue which could cause difficulties for traffic approaching or leaving the Vale of Leven Hospital at peak times.
- 4.3.3** This site is less accessible by public transport than either of the Dumbarton sites. In particular, there is only a limited bus service to the Helensburgh area.

- 4.3.4** The site is currently zoned as Open Space within the existing and emerging Development Plan. If the Council were to recommend that it be used as a site for a school, any application, if the Council were minded to approve it, would require to be notified to Scottish Ministers under the Notification of Applications Direction 2009. In these circumstances, the planning authority would be expected to demonstrate that they have carefully considered the Development Plan and there is reasonable justification for departing from its terms
- 4.3.5** The Argyll Park site offers no educational advantages over the other potential sites.
- 4.3.6** For the reasons listed in the foregoing paragraphs, it is not recommended that the Argyll Park site be put forward as possible sites for the new OLSP as part of the proposed consultation.

Jamestown Site

- 4.4** Re-locating the school to Jamestown would have significant recurring adverse revenue implications. Fewer than 350 of the current school population of just under 1000 live in the Vale of Leven area, with almost all other pupils living in Dumbarton and Helensburgh and environs. The cost of transporting pupils from Dumbarton to Vale of Leven would exceed the current school transport costs for the school, assuming the current entitlement to free school transport were maintained. While it is impossible to be precise about the scale of additional costs at this stage, given the number of variables involved, initial estimates suggest the additional costs could be anywhere between £0.022m and £0.082m, although it is possible that these figures could be exceeded. Such a move would also incur additional costs for Argyll and Bute Council which has responsibility for transporting its young people to OLSP.
- 4.4.1** Jamestown scored lower than either Posties Park or the existing school site in the desk-top evaluation carried out by MJ Consultants.
- 4.4.2** The location of the site is problematic. Its location is poorly served by public transport links and there is no public bus service between the site and the Helensburgh area.
- 4.4.3** Significant improvements would be required to the road network to ensure safe passage for pedestrians and an adoptable road to access the school would be required from the Main Street.
- 4.4.4** The Jamestown site offers no additional advantages over other potential sites.
- 4.4.5** For the reasons listed in the foregoing paragraphs, it is not recommended that the Jamestown site be put forward as possible sites for the new OLSP as part of the proposed consultation.

Existing School Site

- 4.5** There are often advantages to using existing school sites for the construction of new school buildings. For instance, doing so removes the need for statutory consultation under the terms of the 2010 Act and there are generally fewer Planning issues, given the fact that there is no change of use involved. All four of West Dunbartonshire Council's other new secondary schools have been constructed on existing school sites.
- 4.5.1** However, there are a number of specific challenges relating to the current OLSP site.
- 4.5.2** Firstly, the site is small by the standards one would normally expect for a secondary school with a roll of 1000. This is evidenced by the fact that the current building is six storeys high, hardly an ideal arrangement for a school.
- 4.5.3** One deleterious effect of the small size of the current campus is that (partly because of size and partly because of topographical features) there is only room for one outdoor sports pitch. This is well below the standards set by Sports Scotland for external sports facilities in new schools. When the present school was constructed in 1975 it was a girls' school and sport was not considered an educational priority for girls. However, the shortage of external sports facilities at this site currently makes delivery of the PE curriculum very difficult; it also constrains extra-curricular activities. For comparison, the new Dumbarton Academy, which has a roll of only 700, will have 3 external sports pitches when the landscaping is complete.
- 4.5.4** The management of a construction project on the current site would be extremely challenging. Given the fact that there is no possibility of extending the campus for the reasons given in paragraphs 4.1.1 and 4.1.2 above, the current school assembly hall, dining room, kitchen and Music department would require to be demolished to allow construction to take place, leaving the school without these important facilities for a period of at least 18 months. The provision of temporary accommodation during construction would add approximately £650,000 to the cost of the project, while the proximity of the existing school during construction and demolition works would add approximately a further £300,000 in order to ensure safe separation and systems of work.
- 4.5.5** There would be additional utilities costs estimated to be in the region of £70,000 if the present site was chosen arising from the need to divert utilities to maintain service during construction.
- 4.5.6** Were it possible to meet planning requirements without the creation of additional offsite pitches, there would be a saving of approximately £200,000 in the cost of the project arising from the fact that it would not be necessary to construct new external sports pitches.
- 4.5.7** It is estimated that sale of the current school site could generate a capital receipt of £1.25 million. This would not be realised if the current site is chosen for the new school. This sum was not included within the capital plan, as it

was not clear at that time what site would be used and the existing site seemed a realistic option at that point.

- 4.5.8** Management of external movement of construction traffic, school traffic and pupil movement would be extremely difficult during the construction period. Traffic management is already a significant challenge at the school and current issues would only be exacerbated during construction. In particular, there would be no or virtually no onsite parking during the construction period, presenting major logistical problems for the school, particularly during parents' evenings or other evening school events. A temporary service access may be required from the A814 Cardross Road during construction in order to facilitate deliveries to the school.
- 4.5.9** The current site also lies at the edge of Dumbarton. This causes difficulties for parents who live in Vale of Leven and wish to attend parents' nights and other school events, given the lack of public transport links between parts of Vale of Leven and the school in the evening.
- 4.5.10** For the above reasons, it is not recommended that we construct the new school on the existing site.

Posties Park

- 4.6** Posties Park could be an impressive site for a new school building. The site is owned by the Council and its location at the confluence of two rivers with views towards Dumbarton Rock and the town centre would present exciting challenges for architects and designers and the new school could become a landmark within Dumbarton. Locating 1000 young people and over 100 staff so close to Dumbarton town centre could also result in economic benefits to the town. The fact that the site is close to the town centre also means that public transport links from the rest of Dumbarton, from Vale of Leven and from Helensburgh are better than alternative sites.
- 4.6.1** Advice from Planning and Roads officers indicates that a footbridge linking the town centre to Posties Park would require to be constructed if the project were to receive planning permission. Such a bridge could also help with the regeneration of the town centre. Initial estimates indicate that the cost of constructing such a bridge would be approximately £3m. A Council decision would be required to amend the 10 year Capital Programme to accommodate this project.
- 4.6.2** The site is currently zoned as Open Space within the existing and emerging Development Plan. If the Council were to recommend that it be used as a site for a school, any application, if the Council were minded to approve it, would require to be notified to Scottish Ministers under the Notification of Applications Direction 2009. In these circumstances, the planning authority would be expected to demonstrate that they have carefully considered the Development Plan and there is reasonable justification for departing from its terms

- 4.6.3** Discussions have taken place between Council officers and an officer from Scottish Natural Heritage. A number of estuary birds, notably Redshanks, which over-winter in the area, use land and water near to Posties Park. Should this site be chosen for the school, the Council would require to ensure that no disturbance was caused to these birds either during construction or after the school is occupied.
- 4.6.4** Because of the size of this site, to construct a school on it would constitute a “major development” under current planning legislation. This requires the Council to conduct a 12 week consultation prior to the submission of a planning application and time for this would require to be built into the programme for the project.
- 4.6.5** The Posties Park site has for several years been used, together with the neighbouring Levensgrove Park, to stage the Scottish Pipe Band Championships. Should this site be chosen for the new school, then the 2014 championships could still be staged there, since construction would not have begun by July 2014. However, an alternative site would be required for the remaining one year of the Council’s commitment to this event. Informal discussions between Council officers and officials of the Royal Scottish Pipe Band association have begun to explore alternative locations for the 2015 event, should the Posties Park site be chosen for the school.
- 4.6.6** A campaign was launched in May 2013 by two Community Councils in Dumbarton opposing the use of Posties Park for the construction of a school. The Community Councils wish the park to remain as open space.
- 4.6.7** Concern has been expressed about the loss of access to popular walking routes around Posties Park. However, it would be essential to preserve rights of way around the school campus. Early plans also leave the lower part of the site (currently occupied by a grass football pitch) unaffected. A possible layout for the new school campus is provided as an appendix to the Proposal Paper and as Appendix 1 to this report.

Consultation

- 4.7** Because this proposal, if enacted, would involve the re-location of OLSP to the Posties Park site, the Council is required to carry out a consultation process as detailed in the Schools (Consultation) (Scotland) Act 2010.
- 4.7.1** The 2010 Act requires the education authority to publish a “proposal paper” which sets out the details of the relevant proposal. The Proposal Paper for this project is provided as Appendix 2 to this report. The final form of the proposals paper may differ slightly from the attached, but only to a minor extent and insofar as necessary to provide clarity for the consultees. No principal facts or opinions will differ from that enclosed. Note that this Proposals Paper is couched in terms of the recommendations in this report having been accepted, as it is required to. It should not therefore be assumed that the outcome of the discussions at Committee has been preconceived.

- 4.7.2** The 2010 Act also requires the education authority to publish an “educational benefits statement” in relation to any proposal which falls under the terms of the act. The Educational Benefits Statement in relation to the OLSP proposal is included in the Proposal Paper which forms Appendix 2 to this report.
- 4.7.3** The Act defines the statutory consultees for a proposed relocation. All these groups will be invited to respond to this consultation, as would the Archdiocese of Glasgow of the Catholic Church.
- 4.7.4** The Act requires a consultation period of at least 6 weeks which must include at least 30 school days. It is proposed that the consultation period for this project should run from Thursday 19 September to Friday 8 November 2013, a total of 32 school days.
- 4.7.5** The education authority is required, as part of the consultation process, to hold a public meeting to discuss the relevant proposal. The public meeting for this proposal will be held at 23 October 2013 in the Assembly Hall of Our Lady and St Patrick’s High School.
- 4.7.6** The 2010 Act requires the involvement of HMIE (now Education Scotland) in the process. Education Scotland must be provided with the Proposal Paper, the Educational Benefits Statement and the submissions made to the education authority during the consultation period (or, by agreement, a summary of these submissions). Education Scotland then prepares a report on the educational aspects of the proposal.
- 4.7.7** The education authority is then required to publish a “Consultation Report” containing a record of the total number of submissions received, a summary of those submissions and of any oral representations made during the public meeting, a copy of the Education Scotland report and a statement of the authority’s response to the written and oral submissions and to the Education Scotland report. It is planned to present the Consultation Report on the OLSP project to a future meeting of the Educational Services Committee.

The Proposals and Timescales

- 4.8** This report is proposing the following timescales in relation to the OLSP project, should the Posties Park site be chosen.

16.9.13 – 13.11.13	Statutory Consultation
9.12.13	Comments by Education Scotland on Proposal
January 2014	Report to Special meeting of Educational Services Committee on outcome of consultation
August 2013 – May 2014	Design of new campus
August 2014 – December 2015	Construction of new campus

January 2016

New school opens

January – May 2016

Demolition of existing school building

5. People Implications

5.1 Because this would be a like-for like replacement of a secondary school, there are no implications for staffing levels arising from this proposal.

5.2 Some additional staffing capacity will be required during the planning and construction phases of the project. This has been budgeted for, using the contribution to the project from the Council's Capital Programme.

6. Financial Implications

6.1 The capital budget for this project is £22.5m, £14m from the Scottish Government via the Scottish Futures Trust and £8.5m from the Council's Capital Programme.

6.2 Due to the nature of the Scottish Government's financial contribution to the project which is from the Scottish Government's revenue budget this project requires to operate as a Design, Build, Finance and Manage (DBFM) contract. One of the conditions of the Scottish Government funding relates to the ongoing maintenance of the school in relation to Hard FM (Facilities Management) and Lifecycle Maintenance and these elements requires to operate under this DBFM arrangement with the Council requiring to commit to provide funding of this work through a payment each year to the school operator.

6.2.1 The operation of the school would be by a subsidiary of hub West Scotland Ltd and the service charge payment for the provision of the school and its maintenance would be through the Council, with the Scottish Government passing revenue funding to the Council to pay for the Scottish Government's element of funding of the school. The Council's share of the cost of the school would be paid as a capital payment on completion of the school. The Council's ongoing contribution to the maintenance of the property would be an ongoing revenue contribution.

6.3 As noted above the potential capital receipt arising from a successful sale of the current school site of £1,250,000 was not assumed within the capital programme for prudence. If an option was approved that was not the use of the existing site then the expected capital receipt will assist.

6.4 It should be noted that the Scottish Government contribution is capped at 66.7% of the capital costs of the project based on a set costing matrix for schools. Any spend over and above this matrix derived value will be 100% the responsibility of the Council. Such increase in cost could be as a result of increased specification, additional works relating to other (non-school) facilities, additional developments. This equates to a build cost of £21m and the additional £1.5m built into the outline capital budget is intended to cover

additional costs in relation to specialist reports, staffing and any infrastructure upgrades.

- 6.5** In terms of the options described in the report in relation to the most appropriate site for the new school these options have both capital and revenue implications as follows:

6.5.1 Argyll Park

Additional capital cost of £130,000. Additional revenue transport cost of between £22,000 and £82,000 per year for the Council. The capital cost identified above would be covered within the £1.5m budget available in the existing outline budget. However assuming the existing site can be sold for £1,250,000 and that this receipt is used to assist the funding of the new school then this would reduce the currently planned borrowing to finance the new school by around £125,000.

6.5.2 Jamestown

Additional capital cost of £580,000. Additional revenue transport cost of between £22,000 and £82,000 per year for the Council. The capital cost identified above would be covered within the £1.5m budget available in the existing outline budget. However assuming the existing site can be sold for £1,250,000 and that this receipt is used to assist the funding of the new school then this would reduce the currently planned borrowing to finance the new school by around £125,000.

6.5.3 Existing School Site

Additional net capital cost of £820,000 and loss of potential capital receipt of £1,250,000. The capital cost identified above would be covered within the £1.5m budget available in the existing outline budget. This results in a total additional financing requirement of £1,250,000 compared to other options.

6.5.4 Posties Park

Additional capital cost of £3,550,000. The £1.5m included in the current outline budget will cover the £550,000 for piling works and roads upgrades, however the £3m cost of a bridge would require to be funded from additional borrowing at a revenue cost of round £300,000. However, assuming the existing site can be sold for the £1,250,000 and that this receipt is used to assist the funding of the new school then this will reduce the additional borrowing impact to £1,750,000 and the revenue implication to around £175,000 per year.

- 6.6** All of the additional revenue costs identified above would require to be included in the budget from 2016/17 onwards.

- 6.7** All of the above are based on an assumption that the core build costs identified at £22.5m do not change other than for the factors identified. The capital plan would need to be reviewed following the outcome of the consultation process as a final decision is reached on a site and will be monitored through the procurement and build process. Should this option be approved then the capital plan would require to be updated for the additional cost relating to the bridge requirement.

6.8 Investment Opportunity

As a shareholder in hub West Scotland Ltd the Council will be provided with an opportunity to invest in the financing of the development. Under the partnership agreement the public body shareholders are entitled to take-up up to 30% of the sub debt funding requirement of the project. This will offer an opportunity to obtain investment returns which can be used to offset the revenue impact of the borrowing for the school. More information on this will become available as work progressed through the procurement with hub West Scotland Ltd. Such an investment opportunity would only be possible if the Council is in a financial position to invest at the time the opportunity arises.

7. Risk Analysis

- 7.1** Failure to continue to regenerate the schools estate would mean that the condition of the school buildings would continue to deteriorate, leading to increased inequalities for young people and reputational damage for the Council.
- 7.2** The risks of failing to complete the project on time and within budget will be controlled via robust project management based on the Council's substantial and successful recent experience in delivering schools projects. The expertise of hub West Scotland Limited and the Scottish Futures Trust will also help to control this risk.

8. Equalities Impact Assessment (EIA)

- 8.1** This project will improve the quality of educational experience for young people attending OLSP and no negative impacts relating to equality issues were identified on a screening. A further EIA/Screening will be undertaken when the recommendation report is submitted to a future meeting of the Educational Services Committee.

9. Consultation

- 9.1** This project has been the subject of extensive discussion by the Strategic Asset Management Group and the Corporate Management Team as well as by Council and the Educational Services Committee.
- 9.2** Legal Services, the Section 95 Officer, the Executive Director of HEEDS, the Corporate Asset Manager, officers in Planning and Roads and Scottish Natural Heritage have been consulted on the content of this report.
- 9.3** As detailed in section 4.6 of this report and in appendix 1, consultation with all statutory consultees will be conducted on the proposals in this report in accordance with the requirements of the Schools (Consultation) (Scotland) Act 2010.

10. Strategic Assessment

- 10.1** The OLSP project will make a significant contribution to the delivery of the Council's strategic priorities of Economic Regeneration and Improved Outcomes for Children and Young People.

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Appendices: Appendix1: Possible Layout for new school campus on Posties Park
Appendix 2: Proposal Paper, incorporating Educational Benefits Statement

Background Papers: Council Report 6 February 2013: 10 Year Capital Programme
Educational Services Committee Report 15 May 2013: Regeneration of the Schools Estate: Our Lady and St Patrick's High School
Schools (Consultation) (Scotland) Act 2010
Equalities Impact Screening

Wards Affected: Wards 1.2 and 3