

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Council: November 2007

Subject: Schools' PPP Project: Implications of the Planning Committee's decision to refuse detailed planning permission for the Dumbarton Academy campus

1. Purpose

1.1 The purposes of this report are:-

- to inform Council of the consequences of the decision of the Planning Committee of 22 October 2007 to reject BAM PPP's application for detailed planning permission for the Dumbarton Academy campus;
- to seek Council's approval for the removal of the Dumbarton Academy campus from the PPP project;.

2. Background

2.1 As Preferred Bidder for West Dunbartonshire's Schools PPP Project, BAM PPP was required to develop its proposals for four school campuses for:

- Vale of Leven Academy;
- Clydebank High School;
- St Peter the Apostle High School and St Eunan's Primary School;
- Dumbarton Academy and a new primary school formed by the amalgamation of Aitkenbar, Braehead and Dalreoch primary schools.

2.2 On Wednesday 8 August 2007, the Council's Planning Committee granted detailed planning permission to BAM PPP for the school campuses at Vale of Leven Academy, Clydebank High School and St Peter's/St Eunan's.

2.3 On Monday 22 October 2007, the Council's Planning Committee rejected BAM PPP's application for detailed planning permission for the Dumbarton Academy campus.

2.4 The reasons for this rejection were:-

- (1) It is not appropriate to have a licensed premises as part of a community learning campus;

- (2) concerns regarding increased traffic congestion and car parking on an already busy road;
 - (3) concerns regarding access during construction; and
 - (4) the proposed development would constitute over-development of the site.
- 2.5** At a meeting of the PPP Project Board on Wednesday 7 November 2007, a report was presented to the Board detailing the consequences for the PPP project of the decision of the Planning Committee to reject BAM's application for detailed planning permission for the Dumbarton Academy Campus. This report is appended as Appendix 1.
- 2.6** At a Requisitioned Council meeting on Tuesday 13 November 2007, Council agreed that a Report be prepared for the Council meeting on 28 November 2007. This Options Appraisal is appended as Appendix 2 and a summary of the financial implications as Appendix 3. It should be noted that, since financial modelling for the costs of the PPP project is still taking place, all figures given in these appendices should be seen as estimates based on the information currently available.
- 3. Main Issues**
- 3.1** It is clear that merely removing the Brock Bowling Club from the site would not address the Planning Committee's grounds for rejection of the application.
- 3.2** No revised proposal which included both a primary and a secondary school on the Crosslet Road campus would address the Planning Committee's concerns.
- 3.3** A revised application consisting only of a new Dumbarton Academy on the current site would prove to be expensive for the Council because of the loss of revenue savings from the removal of excess primary school capacity and from the loss of capital receipts.
- 3.4** Any proposal for the inclusion within the project of a new Dumbarton primary school on an alternative site would require extensive formal statutory consultation and would therefore necessitate a significant, expensive and unacceptable delay to the whole PPP project.
- 4. Personnel Issues**
- 4.1** As previously reported, the decision to award the contracts for Cleaning and Grounds Maintenance to the Council's in-house team means that only janitorial staff will be transferred to the employment of HBG FM.

- 4.2 If the Dumbarton campus is removed from the project, then even fewer staff will transfer. A revised TUPE list is currently in preparation.
- 4.3 On Friday 26 October, the Schools' Estate Team facilitated a meeting between representatives of HBG FM and representatives of the General and Municipal Worker' Union (GMW) and the Transport and General Workers' Union (T&G) to discuss the transfer process. Some janitors' shop stewards were also in attendance at the meeting which was judged a success by all parties.

5. Financial Implications

- 5.1 The financial implications are outlined in Appendix 2 to this Report.

6. Risk Analysis

6.1 Throughout the history of this project, a key focus of the work of the project team and its advisers is to minimise the legal, financial and technical risks to the Council. Risk analysis is inherent in all the work of the extended team.

6.2 The options appraisal appended as Appendix 2 contains a detailed analysis of the risks involved in pursuing different routes

7. Conclusions

- 7.1 The decision of the Planning Committee of 22 October 2007 to reject BAM PPP's application for detailed planning permission for the Dumbarton Academy campus effectively requires the removal of the Dumbarton campus from the schools' PPP project.
- 7.2 It is in the interests of the Council to proceed to Financial Close on the remaining three campuses at the earliest possible opportunity.
- 7.3 It remains the case that the present Dumbarton Academy building and the buildings of the three primary schools scheduled for amalgamation on the Dumbarton Academy campus are not fully fit for purpose for a 21st century education.
- 7.4 It is therefore important that all four schools are included in any strategic plans for the regeneration of the schools' estate beyond PPP.

8. Recommendations

8.1 It is recommended that Council should:-

- approve the removal of the Dumbarton Academy campus from the PPP project;
- instruct officers as a matter of urgency to prepare a Report to Council detailing the processes required to arrive at Financial Close on a schools' PPP project comprising the remaining three campuses; and
- instruct officers to prepare a further Report to a future meeting of Council detailing the strategic plans for the regeneration of the remainder of the schools' estate, including Dumbarton Academy and Aitkenbar, Braehead and Dalreoch Primary Schools.

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Date: 21 November 2007

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Appendix 1: PPP Project Board Briefing Paper – Dumbarton Campus

Appendix 2: Options Appraisal following refusal of Detailed Planning Permission for Dumbarton campus

Appendix 3: Options Appraisal - Financial Summary

Background Papers: None

Wards Affected: All wards