

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Educational Services

Educational Services Committee: 5 March 2014

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 the site currently occupied by the high flats in Bellsmyre;
- b) approve a recommendation that the consultation period should run from Friday 7 March to Tuesday 6 May 2014, a total of 31 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 future meeting of the Educational Services Committee.

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. This budget was increased to a total of £22.65m at the Council meeting on 6 February 2014, with the Council's contribution rising to £8.65m.

3.2 Following subsequent decisions of the Educational Services Committee in May and September 2013, the Executive Director of Educational Services conducted a public consultation under the terms of the Schools (Consultation) (Scotland) Act 2010 on a proposal to construct a new Our Lady and St Patrick's High School either on Posties Park or on the existing school site in Castlehill.

- 3.3** At a special meeting of the Educational Services Committee held on 8 January 2014, Committee decided not to proceed with either option but instead approved the following motion.

“The Committee thanks the Executive Director of Educational Services and all other staff involved, for all the work they have done in bringing together this report for our consideration.

This Committee reaffirms its determination to build a new Secondary School, during this administration, for the benefit of current and future pupils of Our Lady and Saint Patrick's High School.

Committee accepts that Posties Park has been identified as the best site for the new Our Lady and Saint Patrick's High School on both educational and construction grounds. The Committee has also taken into account the lack of support for the building of the new school on Posties Park; and the strong public desire to retain the open space.

The decision to include the current school site in the consultation allowed for a full exploration of the advantages and disadvantages of both these sites. However, the current school site is extremely restrictive and would be difficult to develop safely without major disruption to pupils educational experience. A completed school on this site would also be an inferior establishment relative to the other new build secondary schools in West Dunbartonshire.

Given the above, the Committee rejects both options as outlined in the report and requests that Council Officers revisit all potential sites in our ownership and also explores options for purchasing a suitable site, should this be required.

This Committee will continue to work with all stakeholders to identify a suitable site for the new Our Lady and Saint Patrick's High School, and ensure that we maximise the funding opportunity provided by the Scottish Futures Trust.”

- 3.4** This report reflects the work which has been carried out since 8 January 2014 to take forward the terms of this motion.
- 3.5** Our Lady and St Patrick's High School is a comprehensive, co-educational, denominational school of approximately 1,000 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

4.1 In light of the decision of the Educational Services Committee on 8 January, officers from Educational Services and HEEDS conducted a comprehensive review of all potential sites in Dumbarton and Vale of Leven which might accommodate the new school. Sixteen sites were identified, some of which are in the Council's ownership and some of which are privately owned.

4.1.1 These 16 sites were as listed below.

(a) Sites currently not owned in whole or in part by the Council:

- Former Notre Dame Convent Site with Havoc Park
- Former Notre Dame Convent Site with Castlehill (existing school site)
- Carvill Site in Dumbarton Town Centre (with playing fields on Posties Park)
- Carvill and Vico Sites in Dumbarton Town Centre
- Turnberry Site in Castle Road
- Sandpoint Site (with use of playing fields in Posties Park)
- Young's Farm in Renton Road
- Lomondgate
- Garshake Road, incorporating site currently occupied by Police Headquarters
- Vale of Leven Industrial Estate

(b) Sites currently owned by the Council and considered previously:

- Argyle Park in Alexandria
- Jamestown (this would require the purchase of some adjacent farm land)
- Havoc Park
- Knowetop Farm

(c) Sites owned by the Council and not previously considered:

- Dillichip Playing Fields in Bonhill
- Bellsmyre High Flats Site

4.1.2 The sixteen sites were assessed according to the following criteria:

- cost, including all abnormal costs (including such items as site remediation, road and access upgrades, construction inflation, cost of land purchase) and impact on potential capital receipts;
- size (especially in relation to the provision of sports pitches);
- planning, roads and access considerations;
- location, site condition and topography;
- impact on other Council priorities (e.g. regeneration, housing etc.);
- potential for community use.

4.2 The outcome of the appraisal undertaken is attached as Appendix 1 to this report and identifies the Bellsmyre High Flats site as the preferred site. Significant factors in the assessment were, for those sites not in Council ownership, the risk and cost of purchasing the sites; these factors effectively ruled these sites out.

4.2.1 The Bellsmyre Site has a number of significant advantages.

- it is owned by West Dunbartonshire Council;
- abnormal costs are £510,000; this is low in comparison to the other sites;
- road and public transport access is adequate;
- the topography, albeit sloping, is suitable for the construction of a school;
- the project would contribute to the on-going regeneration of Bellsmyre;
- internal and external sports facilities would be available outwith school hours for community use;
- the proximity to the proposed new school of the new Howattshaws Hall and primary/Early Education campus should allow for the sharing of facilities for the benefit of the whole community;
- the flats are scheduled for demolition, with the process concluding late in 2014 providing a clear site for construction;
- there are no known ground contamination issues;
- the site is well served by public transport, with First Glasgow Service 206 operating Monday to Friday with a 15 minute frequency from most parts of the school's catchment area; there is also a 30 minute service from Monday to Friday from Balloch Bus Stance via Haldane, Alexandria and Dumbarton Town Centre (First Glasgow Service 1A); and
- use of this site would retain Catholic secondary education within Dumbarton.

4.2.2 The site has the following disadvantages;

- the site is only large enough to accommodate the school building, car parking, external social space and one all-weather pitch and possibly a running track; however, there is an existing grass pitch directly across the road from the site which could be upgraded and made available for school use;
- the site is currently owned by the Housing Revenue Account and zoned for social housing; however, the Castlehill site in which the school is currently situated could be made available for housing, although this would mean the potential loss to the Council of a capital receipt estimated at £1.250m; though it should be noted that this receipt is currently not assumed within the Council's capital plan as a source of funding for the capital plan;
- some traffic modelling may be required at the A82; it would be necessary to acquire permission from Transport Scotland to undertake this work, although it is not anticipated that there would be any problem in securing such permission; any costs involved would be included within the £510,000 abnormal costs referred to in 4.2.1; and

- the school is much further from any Dumbarton railway station than the current site which is a short walk from Dalreoch Station.

4.2.3 The Bellsmyre site was not previously considered for the new Our Lady and St Patrick's High School because originally the demolition of the high flats which currently occupy the site was scheduled for completion by November 2014, several months after the anticipated commencement of construction of the new school. The site was therefore ruled out before desktop evaluations of potential sites were undertaken. However, the delay in the Our Lady & St Patrick's project caused by the requirement to conduct a secondary statutory consultation makes the Bellsmyre site a viable one for this project.

4.3 While the Dillichip Site (the second highest scoring site) is large enough and has a suitable topography for a school, accessibility is far from ideal and moving the school to this site would have significant on-going revenue implications because of the larger number of pupils who would require to be transported to the school than is the case at present. There is also evidence that the land is highly contaminated.

4.4 Based on the assessment of the options identified by officers, it is recommended that Council proceeds to statutory consultation with a recommendation that the Bellsmyre site is chosen as the site for the new school.

4.5 This proposal has the full support of the Corporate Management Team of West Dunbartonshire Council.

Consultation

4.6 Because this proposal, if enacted, would involve the re-location of OLSP to Bellsmyre, the Council is required to carry out a consultation process as detailed in the Schools (Consultation) (Scotland) Act 2010.

4.6.1 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 extend and insofar as necessary to provide clarity for the consultees. No principal facts or opinions will differ from that attached. Note that this Proposals Paper is worded on the assumption that 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.

4.6.2 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.

- 4.6.3** The Act defines the statutory consultees for a proposed relocation. All these groups will be invited to respond to this consultation, as will the Archdiocese of Glasgow of the Catholic Church.
- 4.6.4** 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 Friday 7 March to Tuesday 6 May 2014, a total of 31 school days.
- 4.6.5** 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 7.00 pm on Wednesday 26 March 2014 in the Assembly Hall of Our Lady and St Patrick's High School.
- 4.6.6** 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.
- 4.6.7** 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

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

7.3.14 – 6.5.14	Statutory Consultation
26.5.14	Comments by Education Scotland on Proposal
Late June 2014	Report to Special meeting of Educational Services Committee on outcome of consultation
June 2014 – December 2014	Completion of design of new campus
Spring 2015 – Autumn 2016	Construction of new campus
Autumn 2016	New school opens
Autumn 2016 – Winter 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 £22.65m, £14m from the Scottish Government via the Scottish Futures Trust and £8.65m 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 on-going 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 build cost of the school would be paid as a capital payment in stage payments once the works commence on site. The Council's on-going contribution to the maintenance of the property would be an on-going revenue contribution.
- 6.3** The site on which the Bellsmyre High Flats are currently located, although within the Council's ownership, sits within the Council's Housing Revenue Account (HRA). In order to construct a school on this site it would be necessary to transfer this land to the General Fund. To comply with relevant legislation, this could involve either a land swap or a transfer (sale) of the site to the General Fund at current value to ensure that the HRA does not suffer detriment from such a transfer. Either option would require Ministerial approval. The details of any arrangement would require to be agreed at a future meeting of the HEEDS Committee. As stated above the value of the current OLSP site is £1.250m and the Bellsmyre High Flats site is valued at £0.935m (based on market value rather than value as social housing).
- 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 £1.65m built into the outline capital budget is intended to cover additional costs (including abnormal costs) in relation to specialist reports, staffing and any infrastructure upgrades.

- 6.5** As noted in 4.2.1 above, construction of the new school in Bellsmyre would involve “abnormal costs” of £510,000. This additional sum can be accommodated within the overall budget for the project.
- 6.6** All of the above are based on an assumption that the core build costs identified at £22.65m 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.
- 6.7** Moving the school to any new location will necessitate the recalculation of the entitlement of pupils to free school transport. Initial, outline estimates indicate that the number of young people entitled to free transport would remain largely unchanged should the school move to Bellsmyre. However, a number of young people currently receive train passes to allow them to travel from Balloch, Alexandria and Renton to Dalreoch Railway Station. Alternative transport, probably in the form of a dedicated bus service would require to be provided for these pupils should the school move to Bellsmyre. This may involve a small additional on-going revenue cost. More detailed work will be undertaken to ascertain more specifically the extent of any additional revenue burden.
- 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.
- 7.3** Attempting to purchase a site would represent a significant risk to the Council. Not only would land purchase significantly increase the capital costs of the

new school, any negotiations with site owners would be very likely to delay the project, thereby incurring additional inflation costs; there would also be no guarantee that the Council would be successful in its attempts to purchase any given site. If the Council were unsuccessful in its attempts to purchase land, then the entire project could be placed in jeopardy, given the requirements for the new school to be occupied by 31 March 2018 in order to qualify for Scottish Government funding.

- 7.4** The fact that the transfer of the land on which the Bellsmyre high flats currently stand from the HRA to the General Fund would require Scottish Government Ministerial approval represents a risk. However, this risk would be mitigated by the Council ensuring that the HRA does not suffer financial detriment in such a transfer. This could be achieved either by a land swap or by a transfer of the asset to the General Fund at current value.

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 in 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 Chief Executive, the Executive Director of Infrastructure and Regeneration, the Capital Programme Investment Manager and officers in Planning and Roads have been consulted on the content of this report.
- 9.3** As detailed in section 4.7 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: Appendix 1: Scoring matrix on potential sites
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

Educational Services Committee Report 11 September 2013: Proposal Paper and launch of statutory consultation on the location of the new Our Lady and St Patrick's High School

Educational Services Committee Report 8 January 2014: Results of the statutory consultation on the location of the new Our Lady and St Patrick's High School

Schools (Consultation) (Scotland) Act 2010

Equalities Impact Screening

Wards Affected: Wards 1.2 and 3