

**CABINET MEETING: 19 OCTOBER 2023**

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**FAIRWATER COMMUNITY CAMPUS BAND B REDEVELOPMENT  
EDUCATION (CLLR SARAH MERRY)**

**AGENDA ITEM: 5**

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***Appendices 2 and 4 to this report is exempt from publication on the basis that it contains information of the description set out in paragraphs 14 and 21 of Part 4 of schedule 12 A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information and is exempt from disclosure as it contains information pursuant to paragraph 16 of the Local Government Act 1972***

**Reasons for this Report**

1. To request Cabinet to authorise funds outlined in Confidential Appendix 2 required from the Council's Sustainable Communities for Learning Band B Programme, subject to Ministerial approval of the Final Business Case and statutory approvals, to enable commencement of the main works required to progress the Fairwater Community Campus.
2. To note the early works orders progressed at risk ahead of entering into contract for the main works.

**Background**

3. At its meeting on 12 October 2017, the Cabinet received a report on the development of the education estate in Cardiff. The report set out the Council's proposed vision for its Band B 21st Century School (now named Sustainable Communities for Learning Programme) strategy to address the most acute sufficiency and condition issues in Cardiff. All properties across the school estate were given a rating from A to D for the following issues, with D being the worst category:
  - Sufficiency of places available;
  - Condition of the school buildings; and
  - Suitability of the environment for teaching.

4. To address the eight form of entry sufficiency requirement that was estimated to be required, schemes affecting five English medium schools were proposed. In addition, priority schemes for Band B included an approach to the development of provision for learners with Additional Learning Needs (ALN) through the development and expansion of provision in Cardiff schools. At its meeting on 14 December 2017 Cabinet approved the prioritised schemes under Band B.
5. One of the flagship capital projects for the Council is Fairwater Community Campus that brings together Cantonian High School, Woodlands School and Riverbank School. At its meeting on 13 June 2019 the Cabinet agreed the publication of statutory notices to:
  - Increase the capacity of Cantonian High School from 6 forms of entry (6FE) to eight forms of entry (8FE) with sixth form provision for up to 250 pupils in new build accommodation;
  - Expand the Specialist Resource Base (SRB) for learners with an Autism Spectrum Condition (ASC), hosted at Cantonian High School from 20 to 30 places in purpose-built accommodation in the new school buildings;
  - Transfer Woodlands Special School to Cantonian's existing site and increase the capacity from 140 places to 240 places in new build accommodation; and
  - Transfer Riverbank Special School to Cantonian's existing site and increase the capacity from 70 to 112 places in new build accommodation.
6. The statutory notices were published on 28 June 2019 with one objection received by the statutory notices closing date. The Council published the objection report on 21 August 2019.
7. As the proposals affected sixth form provision, they required the approval of the Welsh Ministers. A copy of the statutory objection and the objection report were submitted to the Welsh Ministers for determination of the proposal on 28 August 2019.
8. In a letter dated 21 July 2020, the Welsh Government advised that the Minister for Education, Kirsty Williams had decided to approval the proposals (a copy of the letter can be seen at Appendix 1).
9. The Minister has approved the proposal on the basis that it was likely to maintain at least equivalent outcomes and offer provisions at least equivalent to that which is currently available to learners at the schools. In addition, she stated the proposal would:

- Provide new school buildings, removing reliance on temporary classrooms, offering an improved learning environment and accommodation with 21st Century facilities;
  - Contribute to the effective funding of education;
  - Increase the number of English medium secondary school places and contribute towards meeting projected demand for places; and
  - Increase the number of places in special schools for learners aged 4-19 with complex additional learning needs and autistic spectrum conditions and contribute towards meeting projected demand for places.
10. The Minister noted that the local authority proposed to implement these proposals on 1 September 2023. The Council must inform the Schools Management and Effectiveness Division, Education and Public Services Groups within the Welsh Government when the proposal has been implemented.
11. At its meeting of 17 September 2020 Cabinet noted the approval of the proposal by the Welsh Minister and delegated authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts) for the new build schools.
12. At a further Cabinet meeting on 17 November 2022 Cabinet approved recommendations to authorise the total funds required from the Council's Sustainable Communities for Learning Band B Programme, subject to Ministerial approval of the Final Business Case, to enable commencement of the enabling works required to progress the Fairwater Community Campus.

### **Proposed New Build Campus**

13. The proposed Fairwater Community Campus will provide 21<sup>st</sup> century educational facilities in new build schools. Pupils will have access to high-quality learning environments to support and enhance teaching and learning.
14. The new build schools would be situated on the existing site of Cantonian High School. The new build schools will have easy access to high quality new sport facilities that would be for sole school use during school hours but available to the community outside of these times, including:

- A floodlit 3G rugby pitch utilising existing WRU engagement officer links to streamline and coordinate the use between the school and the community;
  - 7 a side football pitch that will be made available for community use;
  - A Sports and Wellbeing centre which would be a standalone building housing a full four court sports hall, an activity studio, a gym and an accessible climbing wall; and
  - Multi-use games areas.
13. The campus will be a true community investment and as well as the facilities listed above, there will be several other spaces that will at times be available to the community and wider stakeholders which could add value to the educational experiences as well as supporting the local and wider community groups. These include:
- External play area to promote occupational therapy experiences for pupils with additional learning needs. These spaces would have high use during school hours but could be extended to community groups and therapy sessions beyond school hours;
  - Community cafés within the campus;
  - A showcase space which will be a community space where the aspiration is for artists in residence to work alongside community groups and pupils;
  - A vocational enterprise hub to enable the Council's Cardiff Commitment partner organisations to work with ALN pupils, building career paths and helping the transition from education to employment.

### **Progress to Date**

15. The Council has developed a collaborative vision for the campus, design detail for the project and tender documentation. Tenders were received on the 20 October 2021 and the preferred bidder, ISG Construction Ltd, was selected on the 16 December 2021. ISG Construction Ltd were then awarded the Professional Services Contract (PSC) in March 2022.
16. Following a period of extensive design, the contract for the enabling works for the project was entered into on 22 March 2023, which included the new temporary accommodation for the school. This was constructed and completed on 8 September 2023.

17. The design has now progressed for the main works elements of the project and a planning application was made on 12 August 2022 and in order to achieve the set timeframes an Officer Decision Report has issued on 15 December 2022 for early works ahead of contract award for the main scheme. Subject to all necessary approvals, it is planned for permanent accommodation to be available for all three schools from September 2026.

## Issues

18. Since the appointment of ISG Construction Ltd the project design has progressed, but there have been a number of budgetary pressures that resulted in cost increases. The reasons for the cost increases include:
- Inflation increases; and
  - Design development.
19. Some of the scope and design changes to the enabling works include:
- Changes to building configuration;
  - Additional hard landscaping and paths;
  - Revised site access and parking arrangements; and
  - Additional Sustainable Drainage Approval Body (SAB) provisions.
20. Full details can be found in the **Confidential Appendix 2**. The Council has considered a range of delivery options in presenting this paper and the changes in the proposal have been fully market tested.
21. The changes will apply additional pressure on the Council's Band B Programme.

## Sufficiency of mainstream secondary school places city-wide

22. Following a period of growth within the primary sector, there has been an increased demand for places at entry to secondary education city wide since 2015/16. City-wide projections indicate that the demand for places at entry to the English-medium secondary sector will remain at high levels, until the 2027/28 school year.
23. The most recent citywide school census data from January 2023 confirms that the number of pupils in the year 2 to year 5 cohorts in English-medium community and faith-based primary schools remain at high levels of c3,500 – 3,600 pupils. When compared to the current combined Published Admission Numbers of 3,604 places at entry to English-medium community, faith-based and foundation secondary schools, and a net transition rate of 98.6% in the most recent Year 7 cohort, few surplus places are projected at entry during this period.

24. City-wide, peak intakes at entry to English-medium secondary schools were projected for 2022/2023 and 2023/2024 and planned temporary arrangements were put in place to provide sufficient places and a sustainable level of surplus places in these year groups. In January 2023, there were 3,614 Year 7 pupils enrolled in English-medium secondary schools and a marginally lower figure of c3,566 is projected in 2023/2024.
25. Intakes of c3,400 pupils to English-medium secondary school are projected from 2024/2025 until 2027/2028, A significant reduction in pupils entering secondary education city-wide, from existing housing of c3,130, is projected from 2028/ 2029 until 2030/31, with intakes then remaining at low levels of c2,900 – 3,000 until 2032/33.
26. However, it is anticipated that, as a result of the yield of pupils from the new housing developments, additional school provision will be required to provide English-medium and Welsh-medium school places local to the new housing in some parts of Cardiff. In North-west Cardiff, sufficient capacity will be required to meet the additional demand for places arising from the LDP Strategic sites housing developments at Plasdwr, near Junction 33 and South of Creigiau.
27. Birth rate and population data currently available indicates a cyclic pattern in Cardiff, and nationally. Whilst school reorganisation proposals must be appropriate for projected pupil populations, an appropriate level of surplus capacity should be available to respond to population changes. The most recent data supplied by the NHS in July 2023 indicates a marginal increase of c90 children in the most recent birth cohort to born in the 2021/2022 school year and due to enter secondary education in 2033/34.
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### **Cantonian High School – mainstream places**

29. The published capacity of Cantonian High School, based on its permanent buildings, allowed for an Admission Number of 181 places (6 forms of entry) at entry to Year 7, and 70 at entry to the sixth form. The Council has provided sufficient accommodation to enable the admission of up learners to the Published Admission Number of 181 places utilising temporary classrooms since 2016/17.
30. The planned capacity of Cantonian High School of eight forms of entry reflects the demand for places within its existing catchment area, the excess demand for places in the catchment areas of other schools, and

the projected yield of pupils from the strategic housing developments in North West Cardiff.

31. Many families resident within the catchment area of Cantonian High School have, in recent years, stated a preference for admission to Radyr Comprehensive school at entry to Year 7, and have gained admission. In 2023, 172 secondary-age pupils resident within the Cantonian High School catchment area were enrolled at Radyr Comprehensive School, including 38 pupils in Year 7. The number of pupils enrolled at Radyr Comprehensive School from within its catchment area will remain at high levels until 2027/2028.
32. Many families resident within the catchment area of Cardiff West Community High School have, in recent years, stated a preference for admission to Cantonian High School at entry to Year 7, and have gained admission. In 2023, 249 secondary age pupils resident within the Cardiff West Community High School catchment area were enrolled at Cantonian High School, including 59 pupils (two forms of entry) in Year 7. This pattern of take-up of places is expected to continue in future.
33. In 2022, 121 secondary age pupils resident within the Fitzalan High School catchment area were enrolled at Cantonian High School, many of which were unable to gain admission to Fitzalan High School as their preferred school. The number of pupils promoting from English-medium community primary schools within the Fitzalan High School is projected to exceed the number of places at Fitzalan High School in future years.
34. In future years the housing development in North West Cardiff will increase the local pupil population and combined with population changes within the existing Radyr Comprehensive School catchment area, will reduce the level of surplus at Radyr Comprehensive School. Fewer children from the Cantonian High School catchment area are expected to gain admission to the school and will therefore require a place at their catchment area school, Cantonian High School.
35. The number of pupils enrolling in year 7 city wide has increased significantly in recent years. In 2021/22 and 2022/23, the Council allocated pupils to all 181 places and expects to do so in coming years, prior to the completion of new build facilities. The areas from which Cantonian High School admits pupils will change in future years as new housing is developed.
36. The projected yield of pupils from the Plasdwr, Junction 33 and South of Creigiau developments of >6,500 dwellings on strategic LDP sites in North West Cardiff is significant. These developments lie within the catchment areas of Cantonian High School and Radyr Comprehensive School and are expected to yield up to 5FE by 2030 and up to 10FE overall by their completion. Whilst new secondary school provision is planned within the Plasdwr development, this is not expected to be completed before 2030.

37. Cardiff's Welsh in Education Strategic Plans seeks up to 50% of new provision through the medium of Welsh on LDP strategic sites. Assuming a take up of English-medium places at 50 - 70% in this period, as some children would take up places in existing English-medium primary provision, it is anticipated that Cantonian High School and Radyr Comprehensive School will have little to no surplus in existing accommodation during the period 2025-2030.
38. These forecasts take account of the projected demand for places from existing housing, yields per year groups from planned housing, and the recent patterns of take up. Similar to the most recent school census data in January 2023, forecasts for West Cardiff indicate that Cantonian High School, Fitzalan High School, Radyr Comprehensive School, Mary Immaculate RC High School, and The Bishop of Llandaff CiW High School will be fully subscribed until at least 2027/2028 while a small proportion of surplus places will be available at Cardiff West Community High School.
39. The Council has met demand for places in the peak intake years to secondary education in 2022/23 and 2023/24 by temporarily increasing intakes to a number of schools utilising existing accommodation wherever possible and some temporary accommodation where necessary. In order to ensure sufficient places within a reasonable distance of home addresses, intakes to Cantonian High School increased from 6FE to 7FE in September 2023, ahead of the permanent expansion to 8FE when works are complete. Intakes to Radyr Comprehensive School were permanently increased to 8FE from September 2022 to meet the current demand for places, and to support future demand from new housing.
40. Whilst alternative schools may be also be able to accommodate additional pupils in coming years, additional accommodation would be required on those sites to do. Such measures would not provide an efficient and effective use of resources and would not be sustainable in the longer term, as the temporary accommodation and staffing for additional pupils would be required for a longer temporary period beyond 2026. Expanding other schools temporarily would also inhibit the growth of Cantonian High School and would limit the school's ability to provide the full breadth and depth of curriculum options that a larger school can sustain.
41. Changes to the catchment areas of English-medium secondary schools, including the enlargement of the Cantonian High School catchment area, will be brought forward to better balance school capacities and the populations they serve.

#### **Sufficiency of Complex Learning Needs (CLN) and Autism Spectrum Condition (ASC)**

42. At its meeting on the 14 October 2021 the Cabinet considered a report which outlined the increase in the number of children in Cardiff requiring



specialist placement as a result of their learning disabilities over the last 5 years. The Council proceeded to consult on a range of proposals to strategically extend and realign special school and Specialist Resource Bases for learners with Complex Needs and Autism needs in the primary and secondary age phase. These proposals were determined by the Cabinet at meetings on 15 July 2022 and 17 September 2022, and by the Governing Body of Whitchurch High School in September 2022.

43. Cabinet considered a further report on 13 July 2023 which outline additional places for children with Complex Learning Needs and Autism Spectrum Condition (ASC), and Emotion Health and Wellbeing (EHW). The Council proceeded to consult on the proposals recommended.

### **Riverbank Special School – sufficiency of places for primary age learners with Complex Learning Needs and/ or Autism Spectrum Condition**

44. In 2020/21 the number of designated places for primary age learners in specialist provision for learners with Complex Learning Needs and/ or Autism Spectrum Condition totalled 413 places.
45. Projects previously agreed by Welsh Government and by Cabinet, to rebuild Riverbank Special School and increase the number of places from 70 to 112, and to phase the establishment of a Specialist Resource Base at Ysgol Pwll Coch, would increase the total by 52 to 465 designated places.
46. The Council determined proposals in 2022 to increase the number of primary age places for children with complex learning needs or autism by a further 150 places, and 21 primary age places within provision for learners aged 3-19. This increase of c171 places for primary age learners would take total number of places available within Cardiff to 636 designated places.
47. Taking account of all children requiring such a placement, including those placed out of county, and in mainstream awaiting specialist placement, the true demand for places was estimated to be circa 500 in 2020/2021, rising to 547 by 2025/2026. Allowing for a 10% surplus to support flexibility, capacity was required for 550 pupils in 2020/2021, and 602 pupils by 2025/2026. However, projections which take account of previous assessed needs and trends within a relatively small population may underestimate the level of growth, and the take up of places exceeded projections in 2021/ 2022.
48. The replacement of, and expansion of, Riverbank Special School remains necessary to meet the projected need for places.

## **Woodlands High School – sufficiency of places for primary age learners with Complex Learning Needs and/ or Autism Spectrum Condition**

49. In 2020/21 the number of designated places for secondary age learners in specialist provision for learners with Complex Learning Needs and/ or Autism Spectrum Condition totalled 461 places.
50. Projects previously agreed by Welsh Government and Cabinet, to rebuild Woodlands High School and increase the number of places at the school from 140 to 240 places, would increase the total from 461 places to 561 places by 2023/24.
51. The Council determined proposals to increase the number of secondary age places for children with complex learning needs or autism by a further 139 places, and c21 secondary age places within provision for learners aged 3-19. The total number of places available within Cardiff, for secondary age learners, would be circa 721 places.
52. Taking account of all children requiring such a placement, including those placed out of county, and in mainstream awaiting specialist placement, the true demand for places was estimated to be circa 580 in 2020/2021, rising to 629 by 2025/2026. Allowing for a 10% surplus to support flexibility, capacity was required for 638 pupils in 2020/2021, and 692 pupils by 2025/2026. However, projections which take account of previous assessed needs and trends within a relatively small population may underestimate the level of growth, and the take up of places exceeded projections in 2021/2022.
53. The replacement of, and expansion of, Woodlands High School remains necessary to meet the projected need for places.

### **Suitability and condition**

54. Cardiff has a vast education estate, with over 128 school properties. Many sites comprise of multiple blocks, constructed during different decades and large areas of the estate were in urgent need of upgrade. As a result of the poor condition, the Council was required to temporarily close parts of Cantonian High School in 2016, and Willows High School, Michaelston College and Fitzalan High School in 2017, to undertake urgent upgrade work.
55. When areas of Cantonian High School were closed in 2016 due to electrical issues, this resulted in temporary accommodation being provided.
56. Refurbishment of the current buildings have been discounted as in the most recent property surveys, by Faithful and Gould, Cantonian High School was rated as Condition D (End of life) with a C rating for suitability

with Woodlands and Riverbank rated as Condition C and a D rating for suitability. The combined maintenance total for all three schools was £7,632,065 prior to the partial demolition of the Cantonian High School buildings. The Council has been working closely with the schools to address issues of suitability and condition and critical works have been identified to take place in the short term to maintain suitable environments.

### **Interim Arrangements**

57. In order to ensure the provision of sufficient suitable mainstream places and Additional Learning Needs places in the interim a range of temporary measures are being implemented.
58. The Council has notified Welsh Government of the necessary changes to the building programme, and interim arrangements as follows:
  - intakes to Cantonian High School to increase from 6 forms of entry (180 pupils per year group) to 7 forms of entry (210 pupils), from September 2023, ahead of the permanent expansion to 8 forms of entry when works are complete in 2025/2026;
  - the capacity of Woodlands High School to increase from 140 places to 180 places in September 2023, ahead of the permanent expansion to 240 places when works are complete and the school transfers to its new build accommodation on the Fairwater Community Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site;
  - the capacity of Riverbank Special School to increase from 70 places to 78 places in September 2023, ahead of the permanent expansion to 112 places when works are complete and the school transfers to its new build accommodation on the Fairwater Community Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site.
59. The designated number of places at the Cantonian High School Special Resource Base would increase from 20 places to 30 places in September 2023 as per the Welsh Government approved proposal.
60. The Council has also:
  - brought forward an increase in the number of places at entry to Radyr Comprehensive School, from 7 forms of entry (210 pupils per year group) to 8 forms of entry (240 pupils), from September 2022;
  - agreed to support the expansion of the Special Resource Base for secondary age learners with Complex Learning Needs by 30 places, at Whitchurch High School from September 2022;

- established a Special Resource Base of 30 places, for secondary age learners with Complex Learning Needs, at Willows High School from September 2023;
  - resumed the existing Special Resource Base of 20 places at Windsor Clive Primary School for primary age learners with Complex Learning Needs, from September 2022;
  - approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Marlborough Primary School, from September 2022;
  - approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Llanishen Fach Primary School, from September 2022.
61. Whilst it was not intended that Cantonian High School, Woodlands High School and Riverbank Special School would admit pupils to their full capacity in 2023/2024, the above arrangements will ensure the provision of sufficient, suitable classroom and ancillary accommodation for pupils who may otherwise have enrolled at Cantonian High School or would have required a specialist primary or secondary age placement for complex learning needs during the transition period between 2023/2024 and 2025/2026.
62. The Council will seek Ministerial approval for the phased transition arrangements through the Final Business Case (FBC) approval processes.

### **Impact Assessments**

63. An initial Statutory Screening Tool assessment, incorporating an Equality Impact Assessment, was completed prior to and following consultation on the changes to school organisation. The assessment has been regularly reviewed and updated to reflect the changes to implementation dates and interim measures to support mainstream learners and those requiring specialist placement.
64. Further review has been undertaken and updates made at stages of the design and planning process, including changes which respond to views captured in planning consultation. An updated impact assessment is attached at Appendix 3.

### **Financial Implications**

65. This report provides an update on the current position in relation to the Fairwater Community Campus project. The specific financial implications

relating to ongoing or future schemes have been outlined in the relevant Confidential Appendices. These financial implications provide an overview of the current financial position of the programme and any significant risks that need consideration.

66. The outline 21st Century Schools Band B Programme was approved by Cabinet in December 2017. At that time the overall value of the programme amounted to £284 million, including the Fairwater Community Campus scheme. A Full Business Case has been sent for Welsh Government approval, and on approval Cardiff Council will be able to claim the 70% WG match funding. This match funding is a blended rate between High School (65%) and Special School (75%) intervention rates.
67. The Councils' match funded element of the Sustainable Communities for Learning Band B Programme will be funded from external borrowing, the repayment of which will be funded via the SOP Revenue Reserve. In addition, the programme will be supplemented with £25m of funding via capital receipts. There is a significant risk regarding capital receipts in terms of both the value and timing of receipts being delivered. Any delay in the realisation, or reduction in value, of receipts will have a negative financial impact upon the programme, as additional borrowing will need to be undertaken which, in turn, will increase the pressure upon the SOP Revenue Reserve.
68. The project is affordable within the current Band B cost envelope and projects are being phased as part of the Council's cost affordability controls. There is a continued risk in the overall cost of individual schemes increasing further, either because of design development, unforeseen cost/ changes, or the general impact of inflation. Any additional cost pressures will place strain upon the overall affordability of the programme, and due diligence is required upon each decision point, to give the decision maker sufficient assurance that the project will be delivered within the cost envelope. Due to the current operational environment potential impact of increasing costs will require robust contract management to ensure that all cost limitation opportunities / mitigations are taken to keep the costs of this scheme to a level that is manageable and does not severely impact on the deliverability of the Programme as a whole going forward. Any significant additional costs could lead to a review and reprioritisation of schemes to take place, should the original programme not remain affordable.
69. In addition to the above costs, any delays to this process could incur additional ALN out of county costs, which is currently estimated to be in the region of c£11.1m per annum.

#### **Legal Implications**

70. Please see exempt legal implications set out in Confidential **Appendix 4**.

## Equality Duty

71. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of ‘protected characteristics’. The ‘Protected characteristics’ are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.

## Well-Being of Future Generations (Wales) Act 2015

72. The Well-Being of Future Generations (Wales) Act 2015 (‘the Act’) places a ‘well-being duty’ on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
73. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff’s Corporate Plan 2022-2025. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
74. The well-being duty 2023-2026 also requires the Council to act in accordance with a ‘sustainable development principle’. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term;
  - Focus on prevention by understanding the root causes of problems;
  - Deliver an integrated approach to achieving the 7 national well-being goals;
  - Work in collaboration with others to find shared sustainable solutions; and
  - Involve people from all sections of the community in the decisions which affect them.

75. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

#### School Organisation Implications

76. Although this report seeks authorisation to proceed with the enabling works required to implement this proposal, it should also be noted that this report indicates a delay to the relevant implementation date of 1 September 2023.
77. Under the School Organisation Code and School Standards and Organisation (Wales) Act 2013 proposals, such as these, which received approval by the Welsh Ministers under section 50 of the 2013 Act must only be delayed with the agreement of the Welsh Ministers. An application for a delay of this kind must be made in writing with the reasons clearly set out. This report advises that this agreement has been sought but is outstanding.
78. If this agreement is provided, the notification of the delay must be given to relevant parties including the Welsh Ministers, Estyn, the governing bodies, parents, pupils and staff of any affected school, as appropriate, within seven days of it being made. This notification must set out the reasons for the determination to delay.

#### General

79. The decision maker should be satisfied that the procurement is in accordance within the financial and budgetary policy and represents value for money for the council.
80. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

#### **Human Resources implications**

81. The increase in pupil numbers for each of the three schools will require the Governing Bodies of Cantonian High School and the Western Learning Federation to plan for the workforce requirements in readiness for their respective expansions and transitions to new build schools to ensure their staffing structures are appropriate. The Governing Bodies will be encouraged to undertake this work in line with the SOP HR Framework.

82. HR People Services will provide advice, support and guidance to the Governing Bodies for the workforce planning and consequential recruitment processes. Where the Governing Bodies have adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in numbers on the role will provide opportunities for school-based staff on the school redeployment register.
83. The relocation of Riverbank and Woodlands special schools will require high levels of staff and trade union consultation; clear communication plans regarding the arrangements for the transition from one school site to another; in addition to staff involvement in the development of building specifications or designs.
84. There may also be HR implications arising from the potential for the three schools to be co-located on one school site, for example, governance arrangements for shared service contracts such as cleaning, estates management and community use arrangements. The full implications of this will need to be assessed as the project progresses, and the Governing Bodies will need to ensure full consultation with staff and trade union colleagues.
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Bodies will need to ensure full consultation with staff and trade union colleagues.

### **Property Implications**

89. The Strategic Estates Department (SED) have been engaged with Education colleagues in the due diligence around the existing Cantonian site. In particular, concerns were raised around the unauthorised nature of access onto the school grounds out of school hours and the need to secure the site from a health and safety perspective for the enabling works, construction and future school boundary treatment.
90. SED will support Education on any other land related matters that may arise and any Licences that may need to be granted for any temporary uses.
91. The Woodlands and Riverbank sites are yet to be declared surplus and SED will continue to support Education on any future requirements for these two land assets, following relocation of the schools to the Fairwater Community Campus.

### **Highways and Transport Implications**

92. Travel to school creates considerable pressure on Cardiff's transport network. 30% of all car-based trips during the morning peak are journeys to school. There are around 40,000 car trips to school each day in Cardiff.
93. Yet, journeys to school are often very short: 75% of journeys to education are within 3km of people's homes. More of these journeys could be made by active modes if all schools are well connected to their catchment areas by safe and convenient active travel routes.
94. The Transport White Paper includes the commitment to "Develop Active Travel Plans and accessible walking and cycling routes for all schools by working with children, teachers, parents and governors to promote walking, scooting and cycling to and from schools".
95. The new school developments being brought forward as part of the Council's Sustainable Communities for Learning programme provide the opportunity to deliver on this commitment by ensuring that active travel infrastructure is properly planned and provided as an essential and integral element of the scheme design.
96. The transport team has had early involvement in the project to ensure that appropriate facilities to support sustainable travel are considered at the outset and incorporated into the site master plan. Transport team input has continued as the temporary and permanent school proposals have emerged and developed.

97. A Transport Assessment (TA) was undertaken to assess the traffic impacts and identify off-site infrastructure required to accommodate the development and facilitate sustainable access to the development in a way which accords with national planning policies in Planning Policy Wales (Edition 11, 2021) and the Council's Local Development Plan.
98. Transport Assessments are subject to the Parking Standards (contained within the Council's 2018 "Managing Transport Impacts Supplementary Planning Guidance"). This sets out the required provision for minimum levels of cycle storage equivalent to one cycle space per 5 secondary school pupils. The maximum car parking allocations represent a reduction in parking provision. Both allocations are based on the capacity of the proposed school development. This will accommodate and encourage increased use of Active Travel options and emphasise the importance of providing safe active travel facilities in the vicinity of the school from an early date.
99. The TA has identified the on-site and off-site infrastructure to maximise access by sustainable modes and to improve road safety, including provision to prioritise active journeys to school, cycle facilities, crossings, speed reduction measures as well as necessary works associated with required vehicular access onto the site including Learner Transport. Parking on street near the school will be discouraged through the introduction of appropriate parking restrictions.
100. Consequently, the Council has proposed school safety measures and other highway improvements in the vicinity of the school site. The design of identified measures is being progressed to suit the proposals for both the temporary school and the permanent Fairwater Community Campus development.
101. These proposals were subject to informal engagement during the July 2022 public exhibition events for the temporary school development proposal, where Transport officers were in attendance to respond to queries and comments related to travel and transport. Views were noted, considered, and incorporated into emerging highway improvement proposals as appropriate.
102. Subsequent formal consultations for both the Highways infrastructure proposals and for the proposals for traffic restrictions have since taken place during 2023. It is anticipated that following any revisions required as a result of the consultations, provision will be delivered during the next financial year (2024/2025).
103. The Council's Active Travel Schools and Road Safety Teams will play an important role in inculcating and supporting sustainable and active travel to the new school building from the day it opens.

104. Linked to this will be the National Standards Cycle Training delivered by the Council's Road Safety Team which will help ensure pupils entering the new school are equipped with the cycling skills they need.

### **Reason for Recommendations**

105. This proposal provides good value for money as it addresses the long-term sufficiency, condition and suitability needs. The project would deliver a flagship education campus that will transform the education opportunities in the local area.

## **RECOMMENDATIONS**

Cabinet is recommended to:

- (i) Authorise, subject to Ministerial approval, the funds from the Council's Sustainable Communities for Learning Band B Programme (outlined in the Confidential Appendix 2) of the Final Business Case, to enable commencement of the main works required to progress the Fairwater Community Campus.
- (ii) Note the commitment made for the early works orders to progress the project at risk ahead of entering into contract for the main works.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b> <b>Director for Education and Lifelong Learning</b>
	13 October 2023

*The following appendices are attached:*

- Appendix 1 – WG approval letter 2020
- Appendix 2 – Confidential Commercial Report and Legal Advice
- Appendix 3 – Equalities Impact Analysis
- Appendix 4 – Confidential Legal Advice