

Meeting:	Cabinet
Meeting date:	Thursday 3 December 2020
Title of report:	Peterchurch Primary School Rebuild - Developed Design
Report by:	Cabinet member commissioning, procurement and assets

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

Golden Valley North;

Purpose

To approve the proceeding to the next stage of the rebuilding of Peterchurch Primary School, on the existing site, by commissioning a developed design (Royal Institute of British Architects (RIBA) Stage 3) for a traditional and/or modular build.

The design brief will include a requirement that the building must achieve net zero carbon emissions and obtain a green building certificate. As a minimum it should receive Passivhaus certification. The developed design will include the coordinated architectural, structural and building services design and updated cost information.

Recommendation(s)

That:

- (a) the council proceed to the next stage of replacing Peterchurch primary school and associated on-site facilities on its current site; and**
- (b) The Director Children and Families be authorised to commission a RBA stage 3 developed design for the rebuild of Peterchurch primary school within a budget of not more than £300k including fees.**

Alternative options

1. Do nothing – not recommended, a programme of work will need to be carried out over the next 3 years at a cost of approx. £420K, which is a significant amount of the modest maintenance grant supplied by government. In addition to planned work we would expect to incur further cost for reactive work in line with the previous 3 years (£125K). Given the extent of the dilapidation at the school, health and safety issues could arise for which the Council could be held liable. Children will continue to learn in an unsuitable environment.
2. Close the school – not recommended. The council would have to follow the statutory process as defined in the Education and Inspections Act 2006, which has additional requirements when considering the closure of a rural school. This is a long 5 stage process which will include a published consultation with clear rationale for the closure, alternative options, the impact on the community to name just a few matters that would need to be addressed. The school provides education for up to 150 children. Numbers on roll have fluctuated between 120 and 150 over the past 5 years. There is no capacity in the neighbouring schools to accommodate all the children currently on roll at Peterchurch, additional capacity would therefore need to be provided – at a cost. The nearest five schools are 4.9, 5.3, 6.8, 7.2 & 7.6 miles away from Peterchurch which would involve providing transport to enable the children to attend, this would again come at a cost and would have an impact on the environment. Given the above, it would be hard to justify that Peterchurch Primary is no longer required and the only option is the closure of the school.
3. Acquire a new site adjacent to Fairfield High School and rebuild Peterchurch primary school there – this option has been explored in great detail and has been deemed as unviable. A study identified that significant transport and drainage infrastructure would be required. In addition, there was a lack of support from the local parish and schools.

Key considerations

4. Peterchurch Primary School is in a central position in the village of Peterchurch, on the B4348 – the main road running through the Golden Valley. The site is a reasonable size – sufficient to accommodate a school of the recommended size. according to the Department for Educations Building Bulletin 103 – Area Guidelines For Schools.

5. The buildings comprise the original small Victorian school and associated teacher's house; a purpose built extension; some buildings inherited from the community centre when the hall was relocated to another site on the opposite side of the road; various modular classrooms; and a covered swimming pool.
6. The school has a Planned Admission Number of 15 (although frequently admits more pupils) which would normally be accommodated in four classrooms, however it took on the community centre over 6 six years ago so now has 7 classrooms.
7. The developed area of the site – i.e. the buildings and hard surfaces is at the front. The school field is behind the school building. This is a pleasant area of green space, however the overhead power cables are a less attractive feature and limit the activities which can take place on the field to some extent.
8. Its buildings have been recognised as highly problematic for some years. The School occupies buildings which are in poor condition and which are unsuitable in many respects for the provision of primary education. Despite this the school is rated good by Ofsted and remains oversubscribed.
9. There are a range of serious condition issues with the school which include an asbestos roof on the former community building, which has leaked in previous years requiring ongoing maintenance. The asbestos is not considered to pose an immediate risk to health as it is in a stable condition however it would clearly be preferable to have a completely asbestos free building. The roof failed last winter, with several significant leaks and required extensive patching. There are regular problems with the slate roof on the Victorian buildings, with tiles occasionally slipping, requiring regular attention. The school's heating system is inefficient, with some rooms overheating whilst others are inadequately heated at the same time. There have been ventilation issues with the pupil toilets which have required intervention.
10. The main 20th century school hall has an asbestos roof with multiple leaks and is a notably unattractive building. The condition of the pupil toilets are poor. Most of the spaces in the school are below the recommended area. The modular classroom is perhaps the best of the current accommodation.
11. The swimming pool itself is a good facility, but its plastic roof is not in good condition. The school values the swimming pool very highly, and it is used by a number of other primary schools in the area.
12. The voluntary sector Golden Valley pre-school occupies a modular building on the site. The building belongs to the pre-school and it leases the necessary space from the council and school. It is proposed that this accommodation is re-provided in permanent accommodation which will be part of the new school building.
13. The table below shows that all 7 classrooms are below the areas recommended by the Department for Education in Building Bulletin 103, "Area Guidelines for Schools", being a minimum of 55m² (assuming there are separate spaces for doing practical activities) or 62m² for classrooms that include a wet area.

Room	Size m2
General classroom	50.07
General classroom	50.86
General classroom (mobile)	48.48
General classroom	28.15
General classroom	48.49
General classroom	42.68
General classroom	45.63

14. The inadequacy of the building in terms of both its condition and suitability has been recognised for some time. This led to the decision of Council on 18 December 2015 to include £5.5m provision within the capital programme for the replacement of the school subject to work with schools and the community to develop the most appropriate option for education in the area, including exploring options across primary and secondary provision. This has required significant work over a period of time.
15. Since funds were added to the capital programme in 2015, there has been no planned maintenance work scheduled at the school, in anticipation of a new build. However, nearly £200k has needed to be spent in reactive work. If the do nothing alternative option was considered the most appropriate course of action, at least £420k of works will need to be scheduled across the next 3 years. In addition to this planned work we would expect to incur further cost for reactive work in line with the previous 3 years (£125K).
16. The council produces school pupil number forecasts on an annual basis. These take into account observed numbers on roll, the operation of parental preference, migration in and out of the area, expected future numbers of births and known housing developments. The forecast for the Golden Valley planning area which includes Peterchurch shows a small deficiency of places.

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Golden Valley Total PAN	61	61	61	61	61	61	61	61	61	61	61	61	61	61	61
Golden Valley Forecast YR	59	56	46	59	48	62	71	59	58	58	61	61	62	62	61

17. The Peterchurch Neighbourhood Development Plan (revised 2017) shows a target of 304 new dwellings in total across the Golden Valley to 2031, of which 54 homes are expected in Peterchurch village itself. The biggest development site is immediately adjacent to the school site. The council's figure for expected primary age children is 18 per 100 homes, which would result in 54 additional children aged 4-10 in the Golden Valley. As families which move often tend to be younger than average there are likely to be preschool children who may not require a school place immediately, but will do when they reach the age of 4+. Fairfield High School is popular with parents, which may be another factor which will attract families to the area. It is therefore proposed to build the new school with a planned admission number of 20, and a total capacity of 140, but built in such a way that it could quickly be adapted and grow not just for any increase in demand within the Golden Valley but for any wider county need. There would not be a risk to the viability of other schools in the area, as the total number of children across the planning area will require the capacity added.
18. The case for improving or replacing the buildings has never been in question, however there has been discussion about the best way of doing this. Three main options have been considered which are set out below:
 - To do nothing.

- To acquire a new site adjacent to Fairfield High School and rebuild a primary school there.
 - To rebuild on the existing site.
19. In December 2018, cabinet gave approval to commission a feasibility study to inform the next steps for replacing Peterchurch Primary School's on its current site.
20. The feasibility study investigated all the relevant issues in connection with the proposed rebuilding of Peterchurch Primary School:
- a. an initial planned admission number of 20 and an initial total capacity of 140.
 - b. a clear indication for how the planned admission number could be increased to 30 and the total capacity increased to 210 if future numbers justify such an expansion at a future date.
 - c. taking account of the environmental and planning priorities.
 - d. including re-providing accommodation for the Golden Valley pre-school investigating how the current swimming pool could be re-roofed.
 - e. providing an assessment of all relevant site and environmental issues including ownership, tenure, restrictive covenants, likely planning restrictions, topographical, geological and ground conditions, including potential flood risks from the hills and land to the east.
 - f. investigating options for putting the overhead 66,000 volt power lines underground ensuring that the school travel plan is up to date, and support provided for staff, pupils, parents and the community coming to the school by walking, cycling or by public transport.
 - g. ensuring sufficient parking , and a safe drop-off area ensuring that the school can be maintained cost effectively in the long term, and appropriate environmental measures to reduce energy costs are included.
 - h. that income generating opportunities for the school through community usage are investigated.
 - i. minimising disruption to the work of the school and children's learning throughout the construction phase advising on a deliverable timetable for the construction programme.
21. The feasibility study (appendix A) was completed by Hayhurst and Co (architects), working with a quantity surveyor/cost consultant. Three options were developed: renew remodel and replace.
- a. Renew, although marginally the lowest capital cost, would retain a substantial proportion of the existing buildings, but reshape them and make them more usable. However ongoing maintenance spend would still be required and there would be significant disruption to the school during the build.

- b. Remodel would retain only the best parts of the existing buildings, and replace the rest. This was the most expensive option, had the highest life cycle cost and again would have caused significant disruption during the build.
 - c. Replace would provide a completely new building on a different footprint on the site and then demolish the existing building. This would provide a wholly satisfactory new building, the lowest life cycle cost and create more space at the front of the site for better pedestrian, cycling, school bus and vehicle management with minimal disruption to the school during the build.
22. All three options envisage building a school initially to accommodate an admission number of 20, but with a clear strategy for increasing this to 30 at a future date if required.
23. Informed by the feasibility study, a business case was submitted to full Council for an uplift in the capital programme for the rebuilding of Peterchurch Primary School. In February 2020, Council agreed a new budget of £10.853m.
24. The feasibility study has demonstrated that a new build project delivers better value for money both in the short and longer term. In addition it gives the council an opportunity to build its first carbon neutral school with Green Building certification showcasing its ambition to becoming carbon neutral by 2030.
25. The brief for a developed design will encompass much of that in point 20 above but with some significant additions:
- a. The build must achieve net zero carbon emissions and obtain a green building certificate. As a minimum it should receive Passivhaus certification.
 - b. There should be a net gain in biodiversity on the site.
 - c. The build must be adaptable beyond moving from admission numbers of 20 to 30. It needs to be able to meet the future needs of the Golden Valley and/or County if required. Be that the addition of a specialist setting for example or growing the school into a 'campus' should the land behind the school be purchased. In these circumstances the school still needs to flow and not look like a hotchpotch as it has in the past.
 - d. Although the amount of capital funding set aside to rebuild Peterchurch is in the public domain, the build cost should come in significantly below this without compromising quality. To achieve this all methods of construction should be considered beyond just a traditional bricks and mortar build.
26. The design will take full account of any relevant planning policies and legislation and the Equality Act 2010. The school is a mainstream primary school, however it is expected that the design will take account of the current and future needs of pupils with special educational needs and disabilities, and the needs of disabled staff, parents and community members, by considering how the building will be fully accessible.
27. The architect who will draw up the developed design will be procured in accordance with the council's contract procedure rules.
28. The timetable for the developed design, further decision making and implementation of the project are estimated as follows:

- a. Cabinet decision November 2020.
- b. Procurement of planning/survey/design team to conduct study.
 - i. Tender publication January 2021.
 - ii. Tender evaluation February 2021.
 - iii. Appointment of consultant March 2021.
- c. Design proposal due June 2021.
- d. Decision to proceed with main project September 2021.
- e. Procurement of principal contractor January to March 2022.
- f. Construction May 2022 to August 2023.

Community impact

29. These activities support the council's County Plan Ambition to strengthen communities to ensure that everyone lives well and safely together and the Children & Young People's Plan Pledge of helping all children and young people succeed – be amazing. The proposed works will include mitigation of potential health and safety and safeguarding risks, aiming to provide well maintained buildings which are more cost effective to run and therefore benefit all pupils, including looked after children and care leavers.
30. The decision supports the council's school capital investment strategy that recognises the important contribution a high quality education brings to the lives of children, the wellbeing of residents and to future economic prosperity. The proposed works will include mitigation of potential health and safety and safeguarding risks, aim to provide well maintained buildings which are more cost effective to run and therefore benefit all pupils, including looked after children and care leavers.
31. The proposed project would retain the pre-school and provide improved accommodation. The proposed project would retain the existing swimming pool, but investigate options for providing a better roof. The possibility of a community contribution to this cost will be explored.
32. The proposed project would explore the option of joint use and management of an area of land to the east of the site which may be provided adjacent to the school through section 106 for community use.
33. The proposed project would support the Peterchurch Parish Council's preference for the school to be retained on its current site at the heart of the village as part of its overall vision for the village.
34. The design will address how the safety of pupils, parents, staff and the community can be assured throughout the construction period. This will include separation of school and contractor spaces, management of vehicle movements, and control of machinery and materials which may pose any health and safety risk.

Environmental Impact

35. This decision / proposal seeks to deliver the council's environmental policy commitments and aligns to the following success measures in the County Plan.
- Reduce the council's carbon emissions.
 - Work in partnership with others to reduce county carbon emissions.
 - Improve the air quality within Herefordshire.
 - Increase the number of short distance trips being done by sustainable modes of travel – walking, cycling, public transport.
36. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
37. The environmental impact of this proposal has been considered through the service specification and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the ongoing contract management.
38. Replacement of assets provides a means of improving building service installations, for instance using more efficient light fittings and controls to better manage heating systems. These proposals will contribute towards the delivery of the aims in the council's corporate plan to 'support improvement in the quality of the natural and built environment' and 'to make best use of the resources available to meet the council's priorities' as well as improve the council's energy efficiency, reduce its carbon footprint and provide cost savings.
39. The environmental measures to be incorporated within the build will support the council's Carbon Management Plan's target and areas of work for projects and Schools & Academies.
40. The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance. The build will achieve net zero carbon emissions and obtain a green building certificate. As a *minimum* it should receive Passivhaus certification.

Equality duty

41. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 42. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.
- 43. The new school building is intended to serve all members of the local community in Peterchurch and the Golden Valley, including those with protected characteristics under the Equality Act 2010.
- 44. The principle equalities impact of the decision to rebuild Peterchurch Primary School related to the design and layout of the building. The current buildings are deficient in many respects. The new building would conform to all current legislative requirements and would meet the needs of disabled pupils and their families, as well as staff and other users of the buildings.

Resource implications

- 45. The developed design will cost up to £300k. It will be funded from the £10.853m already approved in the capital programme to rebuild Peterchurch Primary School. The remaining budget will be spent in line with future decision reports after the developed design. The estimated project cost was produced in 2019, and is considered to be high by cabinet members in the experience of recent procurements of work of a similar scale at Colwall and Marlbrook Primary Schools. The developed design commissioned through this report will establish the total costs more accurately.
- 46. The project will be managed in accordance with the Council's project management guidelines. The Project Sponsor will be The Assistant Director for Education Development and Skills with a project lead reporting to him. The project board will include representatives of property services, finance, procurement, legal services/governance and other disciplines such as planning when required. The school will be invited to be represented as the end user of the completed building; and when appointed the architects and contractors will be represented as design and construction suppliers.

Legal implications

- 47. The school is a community school thus forming part of the council's property portfolio. The council has duties under health and safety legislation to ensure that all of its buildings remain fit for occupation and safe for use. Additionally the council has specific duties under the Education Act 1996 and the School Premises Regulations 1999 to ensure that school buildings meet minimum standards and to maintain school premises under the Schools Standards and Framework Act 1998.
- 48. Commissioning a developed design for the rebuilt school should assist the council in meeting the above legal obligations.

Risk management

- 49. Risks associated with the developed design are shown below.

Risk / opportunity	Mitigation
The project could cost more than the provision in the capital programme.	The recommended decision is intended to give greater cost certainty before the main project is procured.
The project could expand to include works not originally intended.	The recommendations specify as precisely as possible what the project is intended to achieve.
There could be unforeseen costs in relation to the site or off-site planning requirements.	Major risks, such as the issues around the high voltage overhead cables have already been identified and outline costs obtained. The proposed study is intended to identify other risks as comprehensively as possible.
There could be community concerns.	Discussions have already taken place with representatives of the parish council to identify and mitigate these.
There could be planning or similar regulatory requirements that add to costs.	These have been anticipated and are being mitigated by involvement of planning and public realm colleagues in early decisions.
The work of the school could be disrupted by any resulting building works.	This possibility is anticipated and the architect is asked to address and suggest mitigation strategies for such potential disruptions.
There are opportunities for enhancing community facilities by working with the parish council in relation to the potential public open space to be provided through Section 106.	Possibilities of creating an access between the school site and the potential new recreation site will be explored, and arranging joint use by the school and community members.
Timescales may slip, if for example, governance, procurement and pandemic related issues occur.	Timescales within our gift will be closely monitored. Should any unexpected delays happen, these will be escalated by exception to mitigate any impact.

50. Risks will be managed in accordance with the council's policy on risk management. Overall the risks at the design stage are low, however the developed design may identify issues which need to be addressed before the main project can go ahead.

Consultees

51. Peterchurch Parish Council has been consulted on the current proposal to rebuild the school on its current site. It strongly supported that approach. The parish council takes the view that the current position is preferable because it is in the 'heart of the village', close to many of the other village amenities. It has requested that the swimming pool be retained if possible. It supports the proposal to put the electricity cables underground. It would be interested in having a joint use agreement for the management of the playing

field/open space that may be provided on land adjacent to the school site to the east which is part of the Hawthorn Rise proposed development. This land would be provided to the community under a Section 106 planning agreement.

52. The governing body and headteacher of Peterchurch Primary School are supportive of rebuilding on the current site.
53. The ward member has been consulted and is supportive of the proposed approach.
54. Political groups have been consulted as this is a key decision..
55. The Green Group commented that they had strong support for an energy efficient building with Passivhaus or equivalent certification. They would also welcome a net gain in biodiversity on the site.

Appendices

Appendix A – Hayhurst & Co feasibility study

Background papers

None

Glossary of terms, abbreviations and acronyms used in this report.

ESFA	Education and Skills Funding Agency
MAT	Multi Academy Trust