



RHONDDA CYNON TAF COUNCIL

RECORD OF DECISIONS OF THE EXECUTIVE

DECISION MADE BY: Cabinet DATE DECISION MADE: 24 September, 2020

Cabinet Members Present:

Councillor A Morgan (Chair), Councillor M Webber (Vice-Chair),
Councillor R Bevan, Councillor A Crimmings, Councillor M Norris,
Councillor J Rosser, Councillor R Lewis, Councillor C Leyshon and
Councillor G Hopkins

Apologies for Absence:

Other Councillor(s) in Attendance:-

Agenda Item : 5

SUBJECT: 21st Century Schools and Colleges Programme - Mutual Investment Model (MIM) 21st Century Schools Welsh Education Partnership - Strategic Partnering Agreement (SPA)

1. DECISION MADE:

Agreed –

1. To note the outcome of the Preferred Bidder Stage of the Competitive Dialogue Procedure under the Public Contracts Regulations 2015 as outlined in this report;
2. To be a party to the execution, delivery and performance of the Strategic Partnering Agreement with the Welsh Education Partnership Co (WEPCo) in September 2020 to facilitate the delivery of a range of infrastructure services and the delivery of education and community facilities;
3. To approve the Strategic Partnering Agreement at exempt Appendix A of the report and summarised in paragraphs 4.6 to 4.16 and Appendix 1 of this report;
4. To note that the Strategic Partnering Agreement shall be executed as a deed and attested in accordance with Article 14.05 of Part 2 of the Council's Constitution;
5. To approve Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates for appointment as 'Participant Representative' to sit on the Strategic Partnering Board (SPB);
6. To begin the Approval Process for New Projects as set out in Schedule 5 of the Strategic Partnering Agreement for the delivery of new school buildings and for a Strategic Outline Business Case for three initial Pathfinder Projects be submitted to the Welsh Government. The three Pathfinder Projects are Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School. A further report regarding funding arrangements will be brought back to Council for approval at a future date; and
7. To note that formal approval to proceed to deliver any new project including a Pathfinder Project, and to enter into associated legal documentation to facilitate the same including a Project Agreement, would require further approval of the Cabinet.

2. REASON FOR THE DECISION BEING MADE:

The need to:

1. Provide Members with an update on the Mutual Investment Model (MIM) funding element of Welsh Government's 21st Century Schools and Colleges Programme;
2. Inform Members of progress Welsh Government has made in procuring a private sector partner to assist with the delivery of education and community facilities in Wales, under the MIM 21st Century Schools and

Colleges Programme;

3. Explain the process and seek Cabinet approval to enter into a Strategic Partnering Agreement with Welsh Education Partnership Co (WEPCo) to facilitate the delivery of education and community facilities. Cabinet are also asked to approve the appointment of Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates as 'Participant Representative' to sit on the Strategic Partnering Board;
4. Request approval to submit the Strategic Outline Business Case for three initial MIM Pathfinder Projects to the Welsh Government. The three Pathfinder Projects are Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School; and
5. Note that approval to enter into a Project Agreement for any of the Pathfinder Projects will be brought back to Cabinet in future for determination and that agreeing to enter into the Strategic Partnering Agreement does not commit the Council to enter into contractual arrangements in relation to any projects.

3. LINKS TO CORPORATE PRIORITIES/FUTURE GENERATIONS - SUSTAINABLE DEVELOPMENT:

The Council's Corporate Plan commits to "Continue to invest in improving school buildings, to ensure the County Borough's pupils have the learning environment fit for the 21st Century."

The proposals considered in the report contribute to all 7 well-being goals within the Future Generation (Wales) Act 2015 and due regard has been made to the Five Ways of Working, as contained within the Wellbeing of Future Generations (Wales) Act 2015.

4. CONSULTATION UNDERTAKEN PRIOR TO DECISION BEING MADE:

Detailed information in terms of consultation is provided in Section 8 of the report.

5. PREVIOUS CONSIDERATION BY A COMMITTEE OF THE COUNCIL:

None

6. PERSONAL INTERESTS DECLARED:

None

7. DISPENSATION TO SPEAK (AS GRANTED BY STANDARDS COMMITTEE):

N/A

8. (a) IS THE DECISION SUBJECT TO CALL-IN BY THE OVERVIEW AND

SCRUTINY COMMITTEE:

Yes

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication i.e. **30 September 2020** to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

8.(b) IF NO, REASONS WHY IN THE OPINION OF THE DECISION-MAKER THE DECISION IS EXEMPT OR NON APPLICABLE:

I. COUNCIL / SCRUTINY FUNCTION (CALL IN IS THEREFORE NON APPLICABLE):-

Reason: N/A

II. URGENT DECISION:-

Reason N/A

8.(c) IF DEEMED URGENT - SIGNATURE OF PRESIDING MEMBER OR DEPUTY PRESIDING MEMBER OR HEAD OF PAID SERVICE CONFIRMING AGREEMENT THAT THE PROPOSED DECISION IS REASONABLE IN ALL THE CIRCUMSTANCES FOR IT BEING TREATED AS A MATTER OF URGENCY, IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULE 17.2:

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(PRESIDING MEMBER)

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(Dated)

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PUBLICATION

Publication on the Councils Website:- **Thursday, 24 September 2020**

APPROVED FOR PUBLICATION: ✓