

## Report of Built Environment Programme Manager

### Report to Director of Children's Services

Date: 26 February 2015

**Subject: Design & Cost Report for General Refurbishment Programme – Fire Safety, Asbestos Removal, Electrical Testing and Condition Survey Programmes 2015-16**



**Capital Scheme Numbers:** 32260/FIR/000, 32260/ASB/000, 32260/ELE/000, 32260/CON/000 and 32260/REA/000.

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): ALL		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

### Summary of main issues

The approved Capital Programme 2015-2016 for Leeds City Council includes £600,000 for 2015-16, plus £902,500 from previous General Refurbishment Programmes, in respect of essential planned and reactive building works at Leeds Schools.

This report seeks approval to proceed with the programme of essential works which fall into four categories – fire safety improvement works, the removal of asbestos, electrical testing and condition surveying and reactive works. The works identified are required to ensure compliance with legislative requirements and discharge the Council's legal and statutory obligations as corporate landlord for school premises.

The report also requests approval to carry out, on a responsive basis, urgent reactive repair / refurbishment works in the event of failure to major building elements / services.

## **Recommendations**

The Director of Children's Services is asked to:

- Approve the proposal to carry out fire safety, asbestos, electrical testing and condition survey works and unknown urgent reactive repair / refurbishment works at Leeds Schools as noted in Section 3 of this report.
- Authorise the carry forward of £902,500 unallocated funding from the previous General Refurbishment Programme for use in 2015-16.
- Authorise expenditure in the sum of £600,000 from within the approved Capital Programme 2015-16 and the £902,500 carried forward from previous years, utilising the General Refurbishment Budget for capital scheme numbers 32260/FIR/000, 32260/ASB/000, 32260/ELE/000, 32260/CON/000 and 32260/REA/000, to facilitate the above works.

### **1 Purpose of this report**

1.1 This report seeks approval to spend £1,502,500 to undertake the works identified in the General Refurbishment programme 2015-16, which includes the following elements of work:

- a) Continue the programme of addressing the high priority fire improvement works delivered in 2014-15. These works are required to resolve occupant safety and risk management concerns.
- b) Removal of asbestos in various schools, including Trust schools, to safeguard the Council's liability.
- c) Undertake electrical testing and condition surveying across schools to comply with the requirement to survey every five years.
- d) Set aside a contingency within the programme to deliver reactive/emergency works.

### **2 Background information**

2.1 Within the 2015-16 programme, an allocation of £600,000 was approved by the Council on 23<sup>rd</sup> February to address general refurbishment and building works in maintained and controlled schools. The allocation supports the discharging of the on-going legal and statutory requirements of the Council in its capacity as landlord for school sites.

2.2 There is unallocated funding of £902,500 from previous General Refurbishment Programmes; this is required to deliver essential outstanding works.

2.3 In order to maintain and improve health, safety and security in Leeds schools, a programme of works had been identified covering the following four main areas of work.

## 2.4 Fire Safety Programme

- 2.4.1 The Council as 'Employer' is defined by the Regulatory Reform Order (Fire Safety) 2005 as the "responsible person" and is accountable for the management of fire safety in all community and Voluntary Controlled schools. This legal duty remains the responsibility of the Council as the site owner and hence capital funding is required to undertake any significant building improvement work required to ensure occupant safety.
- 2.4.2 The programme also ensures compliance with existing protocol arrangements agreed with the Council's Insurers, Zurich Municipal and the West Yorkshire Fire and Rescue Service. The work involves meeting agreed priorities for improvement works arising from discussion with these key groups and undertaking work in those school buildings which are known to be of particularly vulnerable construction types.
- 2.4.3 There are currently over 40 sites which require significant improvement work and await a place in a future fire improvement programme. The allocation in 2015-16 will address the highest priority schemes, taking into account other proposed work on site, e.g. Basic Need, and seek to coordinate these programmes to ensure the works provide best value and also minimise disruption to schools.

## 2.5 Removal of asbestos in schools

- 2.5.1 The Council as employer is defined by the Health & Safety Executive as the "duty holder" and is accountable for the management of asbestos in all maintained and Voluntary Controlled schools.
- 2.5.2 This report seeks to mitigate the Council's liability by continuing with a programme for the removal and encapsulation of works identified following asbestos management plan surveys.
- 2.5.3 In addition to the current identified priorities, the annual asbestos management re-inspections may also generate the need to undertake urgent reactive works. Due to the dangers from asbestos to building occupants, in such instances immediate action is required.

## 2.6 Electrical Testing / Condition surveying programme

- 2.6.1 Under the Health & Safety at Work Act there is a requirement to undertake periodic testing and maintenance of a building's electrical infrastructure to ensure occupant safety. As landlord to the school estate, the Council has a duty of care to ensure valid testing documentation is available in all its buildings and the required maintenance is completed at intervals determined by the current regulations. Any remedial works therefore identified as requiring immediate attention have to be undertaken at that point in time to ensure the safety of the building occupants.
- 2.6.2 In relation to condition surveys, all Local Education Authorities are required by Central Government to establish and update an Asset Management Plan. As a consequence, failure to carry out a review could have a negative impact upon future grant funding allocations.

## 2.7 Reactive Refurbishment Works

- 2.7.1 This category involves undertaking emergency repair / refurbishment works which are required to be carried out on a responsive basis during the year but which cannot be quantified when the programme is initially developed.
- 2.7.2 Also included are works required as a result of the ongoing fire audits and operational risk visits to Leeds schools which are conducted by the West Yorkshire Fire Service and identify works required to meet the Regulatory Reform Order (Fire Safety) 2005.
- 2.7.3 A recent survey of school buildings has uncovered a need to carry out remedial works to a number of existing fire alarm systems in order to comply with current legislation and Insurance requirements. It is proposed to fund these works from the reactive allocation as the scope of the works is still being quantified.
- 2.8 In order to achieve a more effective and efficient management of the programme whilst still achieving full transparency and accountability for all aspects, it is proposed that initial allocations will be set for each category based on current priorities, as follows:
- £600,000 - Fire improvement works
  - £200,000 - Asbestos removal
  - £300,000 - Electrical testing and condition surveying
  - £402,500 - Reactive / emergency contingency

Updated spend profiles and any subsequent changes to allocations are to be reported to the Programme, Risk and Control Group on a quarterly basis and approval sought in relation to proposed actions.

## 3 **Main issues**

### 3.1 **Design Proposals and Full Scheme Description.**

- 3.1.1 The programme will ensure that urgent health and safety works can be carried out in the event of failure of major building element / services in order to maintain safe, warm, watertight teaching and learning accommodation for school pupils and staff.
- 3.1.2 The programme of works will address the following essential works identified within the Asset Management Plan and / or statutory legislative requirements.
- a) Fire safety; fire stopping works, improvements to fire alarms and addressing remedial works resulting from fire service audits.
  - b) Removal of asbestos and remedial works as identified in the asbestos management reports / surveys.
  - c) To complete a full fixed wire electrical testing report and condition survey report for all schools.

- d) Set aside a contingency within the programme to deliver reactive/emergency works.

### **3.2 Programmes**

- 3.2.1 Owing to the disruptive nature of the schemes and their impact on Health and Safety, maximum use will be made of out of hours working around the school day during term time, in order to minimise disruption to learning. Larger scale projects will be carried out during the 2015 school holiday period due to the extent of works required and the length of tender process.
- 3.2.2 Reactive works which occur during the course of the programme year will be addressed as they arise. This will be as a result of discussion with all stakeholders.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The proposed refurbishment / repair works have no impact on the community requiring engagement or consultation. The works have been the subject of consultation with all stakeholders.
- 4.1.2 Typically the works identified within this programme will not require planning approval.
- 4.1.3 In respect of Trust Schools, a development agreement will be issued to the Chair of the relevant Trust for signature in order to obtain approval to proceed with the works.
- 4.1.4 The Executive Member for Children and Families has seen a draft copy of this report and will be briefed as required.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 A screening document has been prepared and an independent impact assessment is not required for the approvals requested.

### **4.3 Council policies and City Priorities**

- 4.3.1 A key objective within the Best Council Plan 2013-2017 is to build a child friendly city. These works will contribute towards maintaining and ensuring good quality, safe, warm and watertight learning environments, contributing towards the achievement of targets within the Children and Young People's plan, such as our obsession 'to improve behaviour, attendance and achievement'.
- 4.3.2 These works ensure the Council is complying with its legal responsibilities with regards to health & safety legislation and maintaining occupant safety.

### **4.4 Resources and value for money**

4.4.1 All costs for identified works have been provided by NPS consultants and Civic Enterprise Leeds. Reactive works will be commissioned through either NPS Consultants or Civic Enterprise Leeds as deemed appropriate for the nature of the work.

4.4.2 To ensure value for money and to procure the works within the agreed timescales, a variety of procurement methods will be employed. These will include the use of the Internal Service Provider, Civic Enterprise Leeds, and competitive tendering methods. Childrens Services will commission these works in accordance with CPR 3.1.8 in order to agree the identified procurement routes.

#### 4.4.3 Capital Funding and Cash Flow.

Funding Approval :	Capital Section Reference Number :-						
Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2014 £000's	FORECAST				
			2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2014 £000's	FORECAST				
			2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	1232.1		1232.1				
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	270.4		270.4				
OTHER COSTS (7)	0.0						
TOTALS	1502.5	0.0	1502.5	0.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2014 £000's	FORECAST				
			2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
LCC Supported Borrowing	1502.5		1502.5				
	0.0						
Total Funding	1502.5	0.0	1502.5	0.0	0.0	0.0	0.0
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Parent Scheme Number:** 32260 000 000

**Title:** Refurbishment & General Building Works

**Revenue Effects:** No revenue effects are anticipated, but any costs arising will be managed within the schools budgets.

#### 4.5 Legal Implications, Access to Information and Call In

4.5.1 This is a key decision and will be subject to Call-In.

4.5.2 Updated spend profiles and any subsequent changes to allocations are to be reported to the Programme, Risk and Control Group on a quarterly basis and approval sought in relation to proposed actions

#### **4.6 Risk Management**

4.6.1 The programme of works will be carried out in accordance with LCC policies and standards.

4.6.2 Delivering Successful Change (DSC) project management methodology will be applied including the use of risk registers and highlight reports. Each activity will be the subject of full risk assessments, project plans and frequent communication with the project team and with each individual school is to be maintained.

4.6.3 Operational risk will be addressed by compliance with CDM, Building Regulations and HSE requirements. This will be monitored by NPS, Civic Enterprise Leeds and the Client.

### **5 Conclusions**

5.1 The Council as Employer, under the Regulatory Reform Order (Fire Safety) 2005 is accountable for the management of fire safety in all community and Voluntary Controlled Schools.

5.2 The Council as Duty Holder is accountable for the management of asbestos in maintained and Voluntary Controlled Schools. To comply with the Control of Asbestos Regulations (CAR) 2012 and the Council's Performance Standards, this report seeks approval to fund works in several schools, including Trust schools, where there is outstanding urgent remedial / removal asbestos work.

5.3 The electrical testing and condition survey programmes will ensure compliance with the 17<sup>th</sup> Edition of the Institution of Electrical Engineers Wiring Regulations and DfE / EFA requirements.

5.4 Reactive schemes need to be executed in a timely manner as and when they arise; therefore a pre-approved contingency budget is required to ensure that the Council respond without delay.

5.5 By undertaking the works identified within the General Refurbishment Programme, the Council will be complying with its legal responsibilities with regards to health & safety legislation and maintaining occupant safety.

### **6 Recommendations**

6.1 The Director of Children's Services is asked to:

- Approve the proposal to carry out fire safety, asbestos, electrical testing and condition survey works and unknown urgent reactive repair / refurbishment works at Leeds Schools as noted in Section 3 of this report.
- Authorise the carry forward of £902,500 unallocated funding from the previous General Refurbishment Programme for use in 2015-16.
- Authorise expenditure in the sum of £600,000 from within the approved Capital Programme 2015-16 and the £902,500 carried forward from previous years, utilising the General Refurbishment Budget for capital scheme numbers 32260/FIR/000, 32260/ASB/000, 32260/ELE/000, 32260/CON/000 and 32260/REA/000, to facilitate the above works.

**7 Background documents<sup>1</sup>**

7.1 None

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The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.