

Report of the Head of Programme Technical (PPPU)

Report to the Director of Children’s Services

Date: 8 March 2017

Subject: Procurement Strategy for the Learning Places Programme Temporary Accommodation for Bulge schemes



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): All wards	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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? The following documents are exempt from Access to Information Rule	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Learning Places Programme represents the Council’s response to the demographic growth pressures on the school provision in the city. The rapidly increasing birth rate in Leeds has required the Council to approve just under 1600 new reception places since 2009 in order to fulfil its statutory duty to ensure sufficiency of school places. In addition temporary “bulge” cohorts have been approved to ensure additional pupil places meets the demand in areas of need.
2. The programme will continue at a pace due to ongoing pressures on school places. The requirement for the 2017 primary places programme currently indicates a total of 17.5 forms of entry. The breakdown of this requirement is as follows: 2 Form Entry (FE) delivered via free schools, 7FE via permanent expansion and 8.5FE via bulge cohorts. Of the 8.5FE current data indicates up to 5 schools may require temporary modular accommodation to support the bulge cohorts, equating to approximately 2.5FE. The remainder will be provided via internal refurbishment. The need for temporary modular accommodation to support bulge cohorts is likely to change once the parental preferences have been reviewed. This may result in the requirement of further temporary modular accommodation to support the bulge cohort. This report requests approval of the proposed procurement strategy for additional temporary modular accommodation to accommodate a temporary bulge cohort for 2017/18 utilising a call-off from the YPO framework (651).

3. Demographics suggest that the birth rate levels out after 2016, with 17.5 FE continuing to be required in 2017 and 2018.
4. An objective in the Best Council Plan 2013-2017 is to build a child friendly city with a focus on: our three Children's Trust partnership obsessions (looked after children, NEET and attendance); ensuring the best start in life; raising educational standards; and ensuring sufficiency of school places. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these objectives.

Recommendations

The Director of Children's Services is requested to:

- i. Approve the Learning Places Programme Procurement Strategy for bulge cohort temporary modular accommodation in the form of a call-off from YPO Framework for the requirements for 2017/18 academic year.
- ii. Note that the Chief Officer, Projects, Programmes & Procurement Unit (PPPU) is supporting the procurement strategy for delivering the bulge temporary accommodation cohort through the YPO framework.

1.0 Purpose of this Report

- 1.1 The purpose of this report is to seek approval for the Learning Places Programme procurement strategy to deliver approximately 2.5 additional FE of temporary bulge cohort accommodation via temporary modular accommodation at primary schools across the City in line with Contract Procedure Rule (CPR) 3.1.8 which requires that a decision to undertake procurement is taken at the point the procurement route is chosen. The procurement strategy is set out below. Approval by the Deputy Director of Childrens Services is required to enable the procurement required by the programme to progress as set out within this report.

2.0 Background Information

- 2.1 The demand for additional school places has been increasing across the city as birth rates started to rise in 2000/2001. The Council has so far successfully delivered 1644 new reception places and just under 1600 temporary bulge cohorts. The Cross-Party Steering Group, chaired by the Executive Member for Children's Services and endorsed by Executive Board in July 2013, continues to assist the programme with Members from across the Council taking a proactive role. The group is supported by senior officers in considering strategic issues for the programme.
- 2.2 The Council retains a statutory responsibility to ensure that there are sufficient school places in the city, but in an environment of very limited direct control. Foundation Schools, Academies (including Free Schools) and Voluntary Aided Schools all have increased powers to make changes to their capacities. This means that the Council must work in partnership with schools and with sponsors of schools to meet its legal responsibility on school places. The local authority's role is as a commissioner of places and it will seek to ensure good quality school places are provided to meet local demand.
- 2.3 Children's Services is responsible for ensuring sufficient school places across Leeds including the management and delivery of consultation and approvals. Clear responsibility and accountability protocols have been established to support the client role and transparency. Childrens Services are responsible for the commissioning and delivery of the Bulge Cohorts with procurement support from PPPU.

3.0 Main Points

- 3.1 Previously temporary modular accommodation had been procured via the Crown Commercial Services (CCS) framework which is no longer in existence. The City Council's preferred framework i.e. YORbuild does not provide for modular accommodation so the proposal is to use the YPO framework.

- 3.2 A number of options have been examined to deliver the required strategy through a robust procurement option appraisal. Many of these have been discounted as either not available for LCC to use, or able to deliver a solution within the required timescales (for 2017/18), not admissible under procurement rules and / or unlikely to provide value for money for the Council.
- 3.3 The procurement option appraisal recommends that the YPO framework for plant machinery and plant and tools (purchase or hire) (651) be utilised to procure the bulge cohort temporary modular requirements for 2017. The framework is in place covering purchase or hire of modular building (mobile classroom and temporary accommodation) and runs until 30th April 2020. The framework is EU compliant and can provide an agile solution to meet the requirements of this year's bulge cohort requirements. PPPU commercial team has confirmed that the framework agreement can be utilised by the Council. The framework allows for yearly call off until expiry of the contract and therefore has the ability to provide a viable long term option for the Council's temporary modular accommodation requirements.
- 3.4 The contractors on the framework are temporary modular specialists who have the capability to provide the full turnkey solution the Authority is looking for.

5. Corporate Considerations

5.1 Consultation and Engagement

This strategy has been the subject of consultation with key stakeholders including Children's Services Officers, colleagues from Leeds City Council's Projects, Programmes and Procurements (PPPU) Commercial Team and the School. There will be further consultation and engagement with colleagues from Leeds City Council's Planning, Highways and School Governing Bodies and local residents as the project progresses.

5.2 Equality and Diversity / Cohesion and Integration

- 5.2.1. The recommendations within this report do not have any direct nor specific impact upon any of the groups falling under equality legislation and the need to eliminate discrimination and promote equality.
- 5.2.2. An 'Equality, Diversity, Cohesion & Integration' screening document was completed to support the 'Design Cost Report' for this project; this is appended to this document as **Appendix A**
- 5.2.3. The recommendation within this report does not have any direct nor specific impact on any of the groups falling under equality legislation and the need to eliminate discrimination and promote equality. An independent impact assessment is not required for the approvals requested.

5.3 Council Policies and Best Council Plan

- 5.3.1. This scheme is due to be delivered under the City Council's Learning Places Programme and is required to fulfil the Local Authority's statutory responsibility to provide sufficient school places.
- 5.3.2. CPRs apply to this process and this Report confirms that the relevant CPRs have been adhered to.
- 5.3.3. An objective in the Best Council Plan 2013-2017 is to build a child friendly city with a focus on: our three Children's Trust partnership obsessions (looked after children, NEET and attendance); ensuring the best start in life; raising educational standards; and ensuring sufficiency of school places. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these objectives.
- 5.3.4. A further objective of the Best Council Plan 2013-2017 is to become a more efficient and enterprising Council. We want to promote choice and diversity for parents and families and deliver additional school places in the areas where families need them. Meeting this expectation while demonstrating the five values underpinning all we do is key to the Learning Places Programme.

5.4 Resource and Value for Money

- 5.4.1. Conducting procurements through the identified framework for our immediate requirements will ensure a competitive process and value for money for the council. This is in line with CPR 3.1.8. There is no ISP, exclusive supplier arrangements to undertake this work.
- 5.4.2. The capital cost of temporary modular accommodation for bulge schemes will be met as part of the Learning Places Programme. The scope of the scheme is currently in development and therefore it is not possible to identify at present an indicative budget. Each individual scheme will submit for approval a separate Design and Cost report in line with corporate governance requirements. All tender documentation will be thoroughly reviewed and validated by the Project Team including both Children's Services and PPPU colleagues.
- 5.4.3. The schemes within the temporary bulge programme will be delivered by the Learning Places Project Team consisting of Children's Services and finance, legal, project and procurement specialists from PPPU facilitating with the procurement exercises. It is possible for this internal resource to be supplemented by NPS who can provide support on specific site conditions and planning if required.

5.5 Legal Implications, Access to Information and Call-In

- 5.5.1. The proposed procurement process (call-off from a YPO framework) is in line with CPR 3.1.8 PPPU commercial team has confirmed that this framework complies with advertising requirement under European Regulations and with the Public Contracts Regulations 2015.
- 5.5.2. This procurement is in line with all CPR's and FPR's
- 5.5.3. The decision to approve the programme procurement strategy for the temporary modular accommodation for Bulge works via this report constitutes a key decision and as such will be subject to call in.

5.6 Risk Management

- 5.6.1. Risk will be managed through application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' risk methodology. Experienced Procurement support has been allocated from within the Projects Programmes and Procurement Unit (PPPU) to manage the procurement delivery of the temporary modular bulge cohort programme.

6. Recommendations

The Director of Childrens Services is requested to:

- Approve the Learning Places Programme Procurement Strategy for bulge cohort temporary modular accommodation in the form of a call-off from YPO Framework for the requirements for 2017/18 academic year.
- Note that the Chief Officer, Projects, Programmes & Procurement Unit (PPPU) is supporting the procurement strategy for delivering the bulge temporary accommodation cohort through the YPO framework.

7 Background documents¹

- 7.1 None

¹ 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.