

Report of the Head of Service Learning Systems

Report to the Director of Childrens & Families

Date: 05th July 2017

Subject: Design & Cost Report and Tender Acceptance Report for the Learning Places expansion of Cockburn School



Capital Scheme Number: 32450/CHS/000

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Beeston & Holbeck / Middleton Park		
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: <ul style="list-style-type: none"> NPS Tender evaluation report [Exempt from Publication] MAW Consulting Tender evaluation report [Exempt from Publication] 		

Summary of main issues

1. The purpose of this report is to seek approval to incur capital expenditure of £1,317,395 from capital scheme number 32450/CHS/000 to provide supplementary accommodation necessary to support the increase in the Published Admission Number (PAN) from 210 to 240 pupils with effect from September 2018, including a 'bulge' cohort of 60 additional pupils for the 2017/2018 academic year. The additional ancillary accommodation detailed herein will be self-delivered by Cockburn School, as a Multi-Academy Trust, and is essential to ensure additional pupils can be successfully placed within school.
2. The works required at Cockburn School is critical to ensure the Learning Places expansion accommodation is in place for commencement of the next academic year and cover the full design and construction costs referenced in this report which is inclusive of all professional fees, surveys, and all other costs associated with the development that sits outside of the construction contract.
3. Demand for secondary school places across the inner south has increased by over 200 places in the past three years. This is reflected in the number of first preferences that were unsuccessful at Cockburn School within this period. In 2014 there were 91 first preferences unable to attend Cockburn school, which increased to 156 places by 2016. Projections for Cockburn continue to display an increase year-on-year up to 2021, wherein demand is projected to plateau.

4. The works detailed herein will be self-delivered by the school as a multi-academy trust and will adhere to all applicable procurement legislation. Childrens & Families will retain a monitoring role throughout the project to ensure programme is met and the budget is not exceeded. Additional ad hoc support will also be provided to school when required. To further ensure value is achieved throughout the process of design and delivery, NPS Ltd. (Leeds) will be employed to support Childrens & Families officers in providing a technical and financial review service.
5. Issuing of funding to the Cockburn Multi-Academy Trust will be formalised via a grant agreement.
6. 'Approval to spend' of £1,559,624 was granted by Executive Board in April 2017. This report seeks to drawn down upon this previously approved funding as per the delegated powers granted to the Director of Childrens & Families.

Recommendations

The Director of Childrens & Families is requested to:

1. Approve the expenditure of £1,317,395 from capital scheme number 32450/CHS/000 for the construction work and associated fees for the expansion of Cockburn School necessary for occupation from September 2017.
2. Authorise acceptance of the tender submitted by the Cockburn Multi-Academy Trust in the sum of £1,197,631 inclusive of all design fees, development costs and surveys. Noting that release of funding for the construction costs will be subject to valuations validated by NPS Ltd. (Leeds).
3. Note that authority to enter into a grant agreement with Cockburn Multi-Academy Trust was ratified at the April 2017 Executive Board.
4. Note that the breakdown of project costs, highlighted in point 1 above, are detailed within section 5.5 of this report.
5. Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision, represents the critical path for project success and must be adhered to where possible.
6. Note that the officer responsible for implementation is the Head of Service Learning Systems.

1.0 Purpose of this Report

1.1. The purpose of this report is:

- To provide background information with respect to the proposed expansion scheme at Cockburn School, necessary to meet the Authority's statutory duty to ensure sufficiency of school places.
- To seek approval to incur expenditure of £1,317,395 against the £1.559m budget granted authority to spend at the April 2017 Executive Board.
- Seek acceptance of the tender submitted by the Cockburn Multi-Academy Trust, in-line with the recommendations put forward by NPS Ltd. (Leeds) in their role as technical and financial advisor to the Authority, for the sum of £1,197,631 for the aforementioned works.

2.0 Background Information

- 2.1. The Learning Places programme represents the Council's response to the demographic growth pressures in school place provision. The increasing birth rate in Leeds has required Leeds City Council to approve an increasing number of new school places since 2009 in order to fulfil its statutory duty.
- 2.2. The scale of the response cannot be met through the existing estate; therefore the expansion of existing schools or the creation of new schools has been required in many instances. The capital school building solutions to the demographic need is managed via Childrens & Families Learning Places Programme.
- 2.3. This proposal has been brought forward to meet the projected demand for secondary school places across the inner south area of Leeds. Current demographic data suggests that there is a need for additional secondary places within the vicinity of Cockburn School. The proposed works outlined in this report is a response to this demand and will ensure there are sufficient school places available for local children.
- 2.4. Following a formal consultation, led by Cockburn School in partnership with Leeds City Council, it was recommended that the proposed expansion would increase the PAN from 210 to 240 pupils from September 2018 including a 'bulge' cohort of 60 additional pupils from September 2017. This proposal was formalised at the April 2017 Executive Board along with approval to enter into a grant agreement with Cockburn Multi-Academy Trust. A budget of £1,559,624 was assigned to this project and 'approval to spend' granted at the aforementioned Executive Board.
- 2.5. Following a curriculum analysis undertaken by Cockburn School, in consultation with officers from Childrens & Families, it was determined that the school had sufficient teaching accommodation for the proposed expansion but lacked key ancillary spaces to allow the additional pupils to successfully transition through school. Critical pressure was identified around the dining hall and ability for the school to accommodate the increased lunch time loading on this space and its welfare provision. As such the proposed works seek to respond to this area of concern by providing a dining hall extension and new toilet block. Proposals have been developed on this basis and agreed by Childrens & Families officers.
- 2.6. Cockburn Multi-Academy Trust has appointed their own design team to lead on the expansion project with Janus Architecture as architect, J B Langley Associates Ltd.

as structural engineer, Lachmann Consultants as mechanical & electrical designer and MAW Consulting Ltd. acting as employers agent to the Academy.

- 2.7. Planning was submitted for the dining hall expansion on the 14th March 2017 with full planning permission granted on the 8th May 2017. The school's appointed development team have been progressing the detailed design work in the intervening period. No planning conditions have been identified that would add risk to the project, with Highways noting that they have no concerns or off-site works requirements for the proposed development.
- 2.8. Due to restricted timescales, and the need to deliver the dining hall expansion by commencement of the 2017/18 academic year, a two stage tender was undertaken in order to ensure programme was met. An 'expression of interest' was submitted to nine contractors on the 16th February 2017. Following receipt of the responses from the expression of interest five of the original nine contractors were invited to tender for the Stage One submission. This was issued on the 27th February 2017 and returned on the 10th March 2017. Interviews were held with the two lowest tenderers on the 24th March 2017 and a scoring matrix implemented to determine the winning bidder. This process considered various aspects of the interviewee including the following key components; experience, resource, programming, adherence to health & safety requirements etc. Woodgreen Construction were appointed as the preferred contractor and invited to undertake the Stage Two tender return. The appointed contractor has been working closely with the design team to firm up the proposals and ensure 'buildability'. The Stage Two contract sum, reflecting this design development and new survey information are noted within this report. They have in-turn been independently assessed by both the school's advisor, MAW Consulting, and, on behalf of the Authority, NPS Ltd. (Leeds).
- 2.9. The proposal for Cockburn School will form part of the on-going work to address capacity and sufficiency across all of Childrens & Families; which includes secondary places in addition to primary, early years and specialist provision.
- 2.10. These proposals form part of the Council's Learning Places Programme that embeds the 'One Council' approach in terms of shared ownership of proposed solution across the various departments involved.
- 2.11. NPS Ltd. (Leeds) have been formally commissioned to undertake technical and financial review of the proposals and cost plan submitted by the school.

3.0 Main Points

Design Proposals and Full Scheme Description

- 3.1. The works at Cockburn School, necessary to facilitate the proposed expansion, consists of the following essential components:
 - Expansion of the school dining hall to allow sufficient provision to accommodate meal numbers associated with a PAN of 240 pupils and the 60 additional pupils placed at Cockburn School as part of the 2017 'bulge' cohort. This work includes the extension of the appropriate services in the existing main hall.
 - Connection to existing building and provision of an internal DDA accessible ramp in order to ensure compliance with building regulations and Leeds City Council accessibility requirements.

- Additional furniture and equipment associated with the dining hall provision.
 - All design development and survey costs associated with the scheme.
- 3.2. Following completion of the tender exercise the estimate construction cost is £1,045,725 with the full scheme cost, inclusive of all additional fees / services and inclusive of an Authority held contingency (commensurate with a scheme of this scale and complexity), of £1,317,395.
- 3.3. The project at Cockburn School will be self-delivered by the Multi-Academy Trust. Design and technical services have been procured directly by the Academy along with all necessary surveys required to develop the proposals. The design team consists of the following design practices; Janus Architecture as architect, J B Langley Associates Ltd. as structural engineer, Lachmann Consultants as mechanical & electrical designer and MAW Consulting Ltd. acting as employers agent to the Academy.
- 3.4. Planning was submitted for the dining hall expansion on the 14th March 2017 with full planning permission granted on the 8th May 2017. As part of this approval Highways noted no concerns over the proposals and have indicated that no off-site works are required as a consequence.
- 3.5. NPS Ltd. (Leeds) have been commissioned to provide the Authority technical and financial review services in order to ensure the scheme presents value and is technically sound. A tender evaluation has been completed by NPS based on the cost plan provided by Cockburn Multi-Academy Trust. This document is appended to this report as 'Appendix B'.

4.0 Programme

- 4.1. The key milestones to achieve this programme are as follows:
- | | |
|------------------------------------|--------------------------------|
| • Pupil numbers confirmed | 1 st March 2017 |
| • Planning application validated | 14 th March 2017 |
| • Approval of 'authority to spend' | 19 th April 2017 |
| • Planning determination | 8 th May 2017 |
| • Approval of this report | w/c 10 July 2017 |
| • Contract award | w/c 10 July 2017 |
| • Start on-site | 17 th July 2017 |
| • Completion & handover | 24 th November 2017 |
| • Occupation | 27 th November 2017 |
- 4.2. Full planning permission has been granted for this scheme and the pre-commencement conditions identified. As such no impediment is in place which would preclude formal commencement of the full construction phase once the necessary approval has been granted.
- 4.3. Approval of this report and contract award represent the critical path and are therefore essential to ensure delivery of the project in accordance with the dates above.

5.0 Corporate Considerations

5.1. Consultation and Engagement

- 5.1.1. A report to Executive Board on 19th April 2016 detailed the outcome of consultation on the proposal to increase the from 210 to 240 pupils, with effect from September 2018, and for the placement of a 60 pupil 'bulge' cohort at Cockburn School from September 2017. This recommendation was put forward following a formal consultation, led by the Multi-Academy Trust with support from Leeds City Council, which ran from 6th March 2017 to 20th March 2017. Further details of this process are provided within the 19th April Executive Board report appertaining to the expansion of Cockburn School.
- 5.1.2. The proposed permanent expansion scheme has been subject to consultation with key stakeholders including Childrens & Families officers, Ward Members and the Executive Member for Children and Families. Consultation has also involved school staff and governors, the local residents and other colleagues within the Council.
- 5.1.3. Pre-planning consultation has been held with representatives from the Planning Department and LCC Highways. No supporting off-site Highways works have been identified as part of the planning permission.
- 5.1.4. Childrens & Families will continue to brief elected members at key stages throughout the project development.

5.2. Equality and Diversity / Cohesion and Integration

- 5.2.1. The recommendations with this report do not have any direct nor specific impact upon any of the groups falling under the remit of the equality legislation and the need to eliminate discrimination and promote equality. A screening document has been prepared to this effect and an independent impact assessment is not required for the approvals requested. The screening document has been sent to the Equality Team to be approved, publishing and held on-file. A copy is included with this report as 'Appendix A'.

5.3. Council Policies 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. In providing places close to where the children live the proposals will improve accessibility of local and desirable school places, and thus reduce any risks of non-attendance.
- 5.3.2. This contributes to the 2016/17 Best Council Plan outcomes for everyone in Leeds to 'Do well at all levels of learning and have the skills they need for life'; 'Be safe and feel safe' and 'Enjoy happy, healthy, active lives'. It also supports the vision in the supporting Children and Young People's Plan 2015-19 to build a child-friendly city with a focus on ensuring all children and young people are safe from harm; do well at all levels of learning and have the skills for life; enjoy healthy lifestyles; have fun growing up; are active citizens who feel they have a voice and influence. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

5.4. Resource and Value for Money

- 5.4.1. The scheme budget of £1,559,624 inclusive of all ancillary and supporting costs, was previously approved at the April 2017 Executive Board. This report seeks to drawn down upon this funding for delivery of the construction contract.
- 5.4.2. The cost will be met through capital scheme number 32450/CHS/000 as part of the Learning Places Programme. Funding will be devolved to Cockburn Multi-Academy Trust in-line with the grant agreement and as per the proposed cash flow schedule provided. Payment of the construction costs will be subject to valuations being issued by MAW to the Authority for the works being invoiced.
- 5.4.3. NPS Ltd. (Leeds) has undertaken a cost evaluation exercise on the proposals and the findings are detailed within the appended Tender Report, marked confidential. In summary the findings are that the 'Report on Negotiation' provided by MAW Consulting is concise and is supplemented by 3 Appendices including Stage Two drawing list, Stage Two Report on Construction Cost and Scope of Works. The report is sufficient in its content; however NPS advise the contingency included within the revised tender sum (£20k) is fairly low as a % of the Works and suggest a client held contingency is secured over and above that contained within the revised tender sum.
- 5.4.4. The works detailed herein are critical to ensure that accommodation is available for the autumn term 2017 and the additional pupils placed at Cockburn School from September 2017.

5.5. Capital Funding & Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2017 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	1317.3		1317.3			
TOTALS	1317.3	0.0	1317.3	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2017 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	1317.3		1317.3			
TOTALS	1317.3	0.0	1317.3	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2017 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
Basic Need Grant	0.0					
	1317.3		1317.3			
	0.0					
Total Funding	1317.3	0.0	1317.3	0.0	0.0	0.0
Balance / Shortfall =	-1317.3	0.0	-1317.3	0.0	0.0	0.0

Parent Scheme Number: 32450/000/000

Title: Learning Places Expansion 2017/18

5.6. Revenue Effects

- 5.6.1. Any additional revenue consequences that may arise as a result of the project will be managed within the respective school budgets.

5.7. Legal Implications, Access to Information and Call-In

- 5.7.1. The Director of Childrens & Families has been granted the delegated authority to approve this project to proceed after complying with the conditions established by Executive Board in April 2017.
- 5.7.2. The approval of this report constitutes a 'Significant Operational Decision' and as such will not be subject to 'Call-In'.
- 5.7.3. The project at Cockburn School will be self-delivered by the Multi-Academy Trust who in-turn will appoint their own design team and construction partner. Leeds City Council's technical partner, NPS Ltd. (Leeds), will be providing independent technical, quality and financial review services to the Authority. Officers from Childrens & Families will continue to provide support to the school in the delivery of this scheme.
- 5.7.4. A 'grant agreement' will be drawn up between Leeds City Council and the Cockburn Multi-Academy Trust to formalise the agreement and parameters to self-deliver this project.

5.8. Risk Management

- 5.8.1. Risk is to be managed through the application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' methodology. Experienced project management resource has been allocated from within the Built Environment. Contractual and legal support for the formation of the grant agreement is to be provided to Childrens & Families from within PP&PU. NPS will be providing technical support.
- 5.8.2. An Authority held contingency, commensurate with a project of this value, has been included within the approval figure to address any risks that occur during construction. This is to be used at the Authority's discretion and is not accessible by the Multi-Academy Trust.
- 5.8.3. Further support on risk is to be provided by the independent technical advisors assigned to the project and will be extended to any necessary value engineering requirements. NPS Ltd. (Leeds) have been appointed to undertake this function for the wider project.
- 5.8.4. A risk log has been developed for the scheme and will be updated and maintained throughout the project by the assigned project officer. Escalation of risk will be via the Childrens & Families Head of Service Learning Systems.

6.0 Conclusions

- 6.1. In order to provide the necessary accommodation to implement the expansion of Cockburn School, from a PAN of 210 to 240 pupils from September 2018 and inclusive of a 60 pupil 'bulge' cohort in September 2017, it is necessary to undertake construction work on-site to deliver additional ancillary accommodation in the form of a dining hall extension and new toilet block.
- 6.2. The provision of the new accommodation at Cockburn School will be self-delivered via the Multi-Academy Trust and their appointed design and construction team with Childrens & Families providing a supporting role for the length of the project timeline. The cost of the accommodation, and necessary supporting works, will be met through capital scheme 32450/CHS/000 to the value of £1,317,395. This includes the contract sum of £1,197,631 all other professional services, fees and a Authority held contingency commensurate to the value of a project of this scale.
- 6.3. The requirement to provide additional accommodation at Cockburn School for an autumn 2017 delivery has been developed through continued consultation with the appropriate stakeholders.
- 6.4. The cost of the works detailed within section 3 will be met through capital scheme 32450/CHS/000 to the value of £1,317,395.

7.0 Recommendations

- 7.1. The Director of Childrens & Families is requested to:
 - 7.1.1. Approve the expenditure of £1,317,395 from capital scheme number 32450/CHS/000 for the construction work associated with the expansion of Cockburn School necessary for occupation from September 2017.
 - 7.1.2. Authorise acceptance of the tender submitted by the Cockburn Multi-Academy Trust in the sum of £1,197,631 inclusive of all design fees, development costs and surveys. Noting that release of funding for the construction costs will be subject to valuations validated by NPS Ltd. (Leeds).
 - 7.1.3. Note that authority to enter into a grant agreement with Cockburn Multi-Academy Trust was ratified at the April 2017 Executive Board.
 - 7.1.4. Note that the breakdown of project costs, highlighted in point 1 above, are detailed within section 5.5 of this report.
 - 7.1.5. Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision, represents the critical path for project success and must be adhered to where possible.
 - 7.1.6. Note that the officer responsible for implementation is the Head of Service Learning Systems.

8.0 Background Documents¹

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

8.1. None

does not include published works.