



Report of: Director of City Development and Director of Children and Families

Report to: Executive Board

Date: 18 September 2019

**Subject: Approval to Spend for the Learning Places Programme 1FE
Permanent Expansion at Cockburn John Charles Academy.**



Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Middleton Park Beeston and Holbeck Hunslet and Riverside	
Has consultation been carried out?	<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
Will the decision be open 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

1. Main issues

- The purpose of this report is to seek 'provisional' approval to spend £2,278,732. to provide supplementary accommodation at Cockburn John Charles Academy High School (CJCA). A subsequent DCR / Tender Acceptance report will follow design freeze and final confirmation of budget requirements. This works is necessary to support the permanent increase in the Published Admission Number (PAN) by 30 places with effect from September 2022.
- Demand for secondary school places across the Inner South has increased significantly over recent years and is projected to continue until at least 2023/24. To support this increase in demand plans are currently in place for the delivery of a new 7 form entry (FE) (210 place per year group, 1050 places in total) 'Free School' local to the area. The work detailed within this report at CJCA is critical to ensure Leeds City Council provides sufficient school places for the start of the 2022 academic year.

- The main pressure identified at CJCA is during the lunch period. To alleviate this pressure the academy has requested support to increase the existing dining provision. This will allow the academy to successfully manage the desired throughput of pupils during the allotted lunch break, and ultimately support the timely delivery of the curriculum for the current and additional pupils at CJCA.
- In order to meet local demand during the build period, an interim solution will support 3 temporary bulge cohorts for the academic years 2019, 2020 and 2021. The works to support the bulge cohorts has been negotiated with the academy and approved via a separate Design Cost Report (DCR). The approved interim works will complement the dining hall expansion.

2. Best Council Plan Implications

- The council's strategy to meet the 'Best Council Plan' includes a 'Child Friendly City' which seeks to support families give children the best start in life and improve social, emotional and mental health. The provision of sufficient school places in a good quality educational establishment such as CJCA will support access to the above best practice and discharge the local authority's statutory duty to provide sufficient school places.
- The ethos driven through the Academy's philosophy will also support the young people work towards a safe, strong community by promoting respect and resilience, qualities also shared within the 'Best Council Plan'. As part of the design development, the proposed dining hall expansion will be managed and delivered via the existing PFI contract which engages positively with construction methods that adhere to a low waste, low carbon delivery which ultimately supports a sustainable infrastructure.

3. Resource Implications

- The estimated cost for the capital works is £2,278,732. This includes the value for the main hall expansion detailed within this report, the interim solution approved via a previous DCR, legal costs for all parties, ICT related costs and a client held contingency commensurate with a project of this complexity. Both elements will be delivered under the existing PFI contract via the formal Variation Order process. This work will attract an annual revenue cost which includes additional catering / cleaning staff and the associated 'life cycling' as identified in the terms of the existing PFI contract. It should be noted the annual revenue costs will be the responsibility of the Academy and charged accordingly.
- The capital cost will be met through capital scheme number 33178/JCA/000 as part of the Learning Places Programme.

4. Recommendations

The Executive Board is requested to:

- a) Authorise capital expenditure for the 'provisional sum' of £2,278,732 from capital scheme number 33178/JCA/000 for the construction work and associated fees to facilitate a permanent increase of the Published Admission Number by 30 pupils at Cockburn John Charles Academy. The 'provisional sum' includes the value for the

main hall expansion detailed within this report, the interim solution approved via a previous DCR, legal costs for all parties, ICT related costs and a client held contingency commensurate with a project of this complexity.

- b) Note that a subsequent DCR / Tender Acceptance report will follow design freeze and final confirmation of budget requirements.
- c) Note the implementation of a City Council Change under the PFI contract with Investors in the Community (Leeds Schools) Limited for the works at the Cockburn John Charles Academy School PFI building, and the requirement to approve the entering in to of any associated documentation including without limitation a deed of variation (if required) and authorise the Head of Service, Learning Systems to review and approve any such documentation.
- d) Note the programme dates identified in section 3.2 of this report in relation to the implementation of this decision.
- e) Note the lifecycle and maintenance allowance, under the Unitary Charge, will increase as a consequence of the works detailed within this report. The increase will reflect the changes in additional catering / cleaning staff and the associated 'life cycling' as identified in the terms of the existing PFI contract. This value however will be the responsibility of the academy and is a 'straight through charge' that will not burden the authority.
- f) Note that the officer responsible for implementation is the Head of Projects and Programmes.

1. Purpose of this report

- 1.1 The purpose of this report is:
- 1.2 To provide background information with respect to the proposed hall expansion at Cockburn John Charles Academy, which is necessary to meet the Authority's statutory duty to ensure sufficiency of school places local to the area.
- 1.3 To seek provisional 'Approval to Spend' for the high level budget detailed within this report in order to undertake the aforementioned works.

2. 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 to ensure sufficiency of school places across the authority.
- 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 demographic solution to support the need for pupil places is the responsibility of Childrens & Families. The delivery of the appropriate building solution is supported by the Projects and Programmes team within City Development.
- 2.3 Current projections across south Leeds indicate that there will be a need for up to 11 forms of entry (330 places) of additional secondary provision in this area by

2021/22. In addition to the proposed 1FE expansion of CJCA a free school proposal local to the area is also anticipated to open in 2021, providing 7FE of extra capacity. Temporary 'bulge cohorts' will also be required in 2019, 2020 and 2021 to meet a projected shortfall of places.

- 2.4 Following consultation with the Academy (in-conjunction with Children's and Families Officers) an analysis of the buildings capacity was undertaken by CJCA, it was determined that the existing PFI school building had sufficient teaching accommodation for the proposed permanent increase in pupil numbers. The existing dining hall however was identified as potentially causing pressure due to its limited capacity to provide the appropriate through-put of meals during the academy's allotted lunch break. The proposed work detailed within this report will seek to respond to this pressure by increasing the current building foot print of the dining hall and subsequently generating additional seating capacity. The proposals have been developed by the Special Purpose Vehicle (SPV) in accordance with the current PFI contract and will meet the need of the additional pupil places.
- 2.5 As the school is currently operating under a PFI contract the required works will be designed and procured via the agreed contractual route and will be responsibility of the 'SPV' to ensure delivery and current building regulations are discharged. The appointed design team has been working closely with both the Authority and the Academy to ensure the proposed design meets all financial and programme related targets.
- 2.6 The proposal for CJCA School will form part of the on-going work to address school capacity and sufficiency across all of Childrens & Families estate which includes; secondary places in addition to primary, early years and specialist provision. 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.

3. Main issues

Design Proposals and Full Scheme Description

- 3.1 The proposed works at CJCA school, necessary to facilitate the permanent increase in pupil numbers, consists of the following essential components;
- The creation of additional dining space by extending the current building foot print into the existing courtyard.
 - An increase in existing toilet provision to meet current guidance.
 - Minor alterations to the existing servery.

Programme

- 3.2 The key milestones to achieve this programme are set out below:

- | | |
|---------------------------|----------------|
| • Approval of this report | September 2019 |
| • Detailed Design | November 2019 |
| • Contract award | June 2020 |
| • Start on site | July 2020 |
| • Completion & Handover | October 2020 |
| • Occupation | October 2020 |

3.3 Approval of this report represent the critical path identified on the current programme and is therefore essential to ensure delivery of the project in accordance with the dates above.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 Consultation has taken place direct with the academy within the area of need. A series of engagement sessions has agreed the principles of the required design that will ensure the dining hall is extended sufficiently to allow both the immediate bulge cohorts and the permanent increase in pupil numbers to take place. This approach will ensure best value when delivering the required building work. The responsibility for consulting on the permanent increase is that of the Academy. The Academy will require and has agreed to submit a business case to the Regional Schools Commissioner demonstrating consultation with local residents, families and relevant stakeholders. The Local Authority will support this process to ensure compliance.

4.1.2 Senior officers within Children's and Families have been briefed along with the Executive and Ward members.

4.1.3 The Project Officer responsible for the delivery of the works will continue to brief Childrens & Families colleagues and elected members at key stages throughout the project development and as requested.

4.2 Equality and diversity / cohesion and integration

4.2.1 The recommendations within 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 for approval, publishing and held on-file. A copy is included with this report as 'Appendix A'.

4.3 Council policies and the Best Council Plan

4.3.1 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, thus reduce any risks of non-attendance.

4.3.2 The proposed development contributes to the 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. By creating good quality school places we can support the priority aims of improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes. The programme

seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes

Climate Emergency

4.3.3 The proposals detailed within this report will seek to deliver the expansion works via the current PFI contractual agreement. The proposed work will seek to adhere to the authority's best practise when considering 'Sustainable Infrastructure' and will positively impact on the current operation of the school. The provision of the additional places will ensure good quality school places local to the area of demand thus reducing the need for excessive travel.

4.4 Resources, procurement and value for money

4.4.1 The estimated cost is £2,278,732. This includes the value for the main hall expansion detailed within this report, the interim solution approved via a previous DCR, legal costs for all parties, ICT related costs and a client held contingency commensurate with a project of this complexity.

4.4.2 The cost will be met through capital scheme number 33178/JCA/000 as part of the Learning Places Programme.

4.4.3 Capital Funding & Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2019 £000's	2019/20	2020/21	2021/22	2022on
			£000's	£000's	£000's	£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
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2019 £000's	2019/20	2020/21	2021/22	2022on
			£000's	£000's	£000's	£000's
LAND (1)	0.0					
CONSTRUCTION (3)	2132.0			2132.0		
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	146.0			146.0		
TOTALS	2278.0	0.0	0.0	2278.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2019 £000's	2019/20	2020/21	2021/22	2022 on
			£000's	£000's	£000's	£000's
	0.0					
Basic Need Grant	2278.0			2278.0		
Revenue	0.0					
Total Funding	2278.0	0.0	0.0	2278.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0

Parent Scheme Number: 32737/000/000

Title: Basic Need Expansions 2019/20

4.4.4 Due to the structure of the PFI contract the lifecycle and maintenance allowance, under the Unitary Charge, will increase as a consequence of the works detailed within this report. The increase will reflect the changes in additional catering / cleaning staff and the associated 'life cycling' as identified in the terms of the existing PFI contract. This value however will be the responsibility of the academy and is a 'straight through charge' that will not burden the authority.

4.5 Legal implications, access to information, and call-in

- 4.5.1 In delivering the project highlighted within this report, the authority has discharged its statutory obligation in accordance with the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 4.5.2 The approval of this report constitutes a 'Key Decision' and as such will be subject to 'Call-In'. There are no other legal implications or access information issues arising from this report.

4.6 Risk management

- 4.6.1 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 City Development's Projects & Programmes Team. The PFI Contract and related contractual matters is being supported by Procurement & Commercial Service (PAC's). In addition, PACS will provide any appropriate legal advice.
- 4.6.2 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 any other party.
- 4.6.3 Due to the tight programme requirements in which to deliver the essential building works, the purpose of this report is to seek 'provisional' approval to spend £2,278,732 in order to provide supplementary accommodation at Cockburn John Charles Academy High School (CJCA). A subsequent DCR / Tender Acceptance report will follow design freeze and final confirmation of the budget requirements will be identified within the report. All efforts have been made to identify and mitigate know risks at this stage of the development.
- 4.6.4 A risk log has been developed for the scheme and will be updated and maintained throughout the project. Escalation of risk will be via the City Development's Head of Projects & Programmes.

5. Conclusions

- 5.1 In order to accommodate the interim bulge year groups and the subsequent permanent increase in pupil places from September 2022 at Cockburn John Charles Academy School, it is necessary to undertake the project detailed within this report.
- 5.2 The delivery of the works at Cockburn John Charles Academy School will be managed by City Development's Projects & Programme's Team on behalf of Childrens & Families in conjunction with the Investors in the Community (Leeds Schools) (PFI - SPV) and Mitie Facilities Management.
- 5.3 The estimated cost is £2,278,732. This includes the value for the main hall expansion detailed within this report, the interim solution approved via a previous DCR, legal costs for all parties, ICT related costs and a client held contingency commensurate with a project of this complexity.
- 5.4 The requirement to provide an extension to the existing dining provision at Cockburn John Charles Academy PFI building, has been developed through

continued consultation with the Academy, LCC's PFI team, Childrens and Families directorate and other key stakeholders.

6. Recommendations

- 6.1 The Executive Board is requested to:
- 6.2 Authorise capital expenditure for the 'provisional sum' of £2,278,732 from capital scheme number 33178/JCA/000 for the construction work and associated fees to facilitate a permanent increase of the Published Admission Number by 30 pupils at Cockburn John Charles Academy. The 'provisional sum' includes the value for the main hall expansion detailed within this report, the interim solution approved via a previous DCR, legal costs for all parties, ICT related costs and a client held contingency commensurate with a project of this complexity.
- 6.3 Note that a subsequent DCR / Tender Acceptance report will follow design freeze and final confirmation of budget requirements.
- 6.4 Note the implementation of a City Council Change under the PFI contract with Investors in the Community (Leeds Schools) Limited for the works at the Cockburn John Charles Academy School PFI building, and the requirement to approve the entering in to of any associated documentation including without limitation a deed of variation (if required) and authorise the Head of Service, Learning Systems to review and approve any such documentation.
- 6.5 Note the programme dates identified in section 3.2 of this report in relation to the implementation of this decision.
- 6.6 Note the lifecycle and maintenance allowance, under the Unitary Charge, will increase as a consequence of the works detailed within this report. The increase will reflect the changes in additional catering / cleaning staff and the associated 'life cycling' as identified in the terms of the existing PFI contract. This value however will be the responsibility of the academy and is a 'straight through charge' that will not burden the authority.
- 6.7 Note that the officer responsible for implementation is the Head of Projects and Programmes.

7. Background documents¹

None

Appendices

'Appendix A' – Equality Impact Assessment Screening document.

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.